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SUICIDE, LAW, AND COMMUNITY IN EARLY MODERN SWEDEN

Riikka Miettinen

World Histories of Crime, Culture and Violence

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Riikka Miettinen
Tampere University
Tampere, Finland

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Abbreviations

AS	Ala-Satakunta, Lower Satakunta in Southwestern Finland (a jurisdictional district of a judge, *domsaga*)
BP	Becchius-Palmcrantz samlingar (in Riksarkivet: Riksarkivets ämnesamlingar. Juridica I. Becchius-Palmcrantz' juridiska samlingar)
G	Gävleborg (province, *län*, in Central Sweden)
HLA	Provincial Archives of Härnösand
J	Jämtland (province, *län*, in Central Sweden)
JLRÄ	Jääski, Ranta, Lappee & Äyräpää (a jurisdictional district of a judge, *domsaga*, in Eastern Finland)
JRÄ	Jääski, Ranta & Äyräpää (a jurisdictional district of a judge, *domsaga*, in Eastern Finland)
K	Kopparberg (province, *län*, in Central Sweden)
KA	Kansallisarkisto, National Archives of Finland
KLA	Kopparbergs länsstyrelsens arkiv, Landskansliet (in ULA)
KLHA	Kopparbergs läns häradsrättsarkiv (in ULA)
KRLL	King Christopher's Law of 1442
KSHB	Kortregister över Svea Hovrätts brev till länsstyrelserna: Svea hovrätts kriminaldomar (in ULA)
NO	Northern Ostrobothnia (a jurisdictional district of a judge, *domsaga*, in Finland)
RA	Riksarkivet, National Archives of Sweden
RT	Collection of *renoverade domböcker*, copies of lower court records preserved in National Archives of Finland (also digitalized http://digi.narc.fi/digi/)
S	Stockholms län (province, *län*, in Central Sweden)

SHA	Svea Hovrätts arkiv, the Archives of the Svea Court of Appeal: without other specification, referring to its Advokatfiskalens arkiv: Renoverade domböcker (in RA)
U	Uppsala/Uppland (province, *län*, in Central Sweden)
UDA	Uppsala Domkapitelts arkiv I (in ULA)
ULA	Landsarkivet i Uppsala, Provincial Archives of Uppsala
ULL	Uppsala länsstyrelsens arkiv, Landskansliet (in ULA)
VA	Vehmaa & Ala-Satakunta (a jurisdictional district of a judge, *domsaga*, in Southwestern Finland)
VM	Västmanland (province, *län*, in Central Sweden)
VMLL	Västmanlands länsstyrelsens arkiv, Landskansliet (in ULA)
VN	Västernorrland (province, *län*, in Central Sweden)
YS	Ylä-Satakunta (a jurisdictional district of a judge, *domsaga*, in Southwestern Finland)
Ö	Örebro (province, *län*, in Central Sweden)
ÖLL	Örebro länsstyrelsens arkiv, Landskansliet (in ULA)

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CHAPTER 1

Introduction

Committing suicide was deemed a felony for centuries in many parts of Europe, including the areas that are now Sweden and Finland. Suspected suicides and other suspicious deaths were investigated in the local lower courts of each rural district or town in the early modern Swedish Kingdom, and the penalties for suicide were inflicted on the corpse of the individual sentenced. The kin, friends and neighbours of the deceased, as well as vicars, local office-holders, judges and juries composed of peasant freeholders or burghers faced the difficult task of ascertaining what had happened and deciding on how to dispose of the corpse according to the law. This book explores the judicial treatment of suicides in early modern Sweden with a focus on the seventeenth and early eighteenth centuries, and thus Sweden's Great Power Era characterized by territorial expansion and warfare, state-building and the first stages of the so-called judicial revolution. According to the authorities, killing oneself was a grave sin and a felony punishable by degrading treatment of the corpse. However, despite this official condemnation, the reactions and attitudes towards suicide were far more diverse. I will discuss the complex criminal investigation and selective treatment of suicides at the local level and in the lower courts, highlighting intersectional approaches to the treatment of crimes and the pivotal role of local communities and their lay members in the enforcement of the law. The practices related to dealing with this relatively exceptional crime reveal interesting aspects about the functioning of the lower court and legal culture in a time

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characterized by a slow administrative and judicial transition from local justice to top-down, state-controlled expert judicature.

As is well known, suicide has become a classic topic in the field of social sciences and humanities, also intriguing historians especially since the 1980s. The rise in historical research on suicide is connected to the general developments in historiography, perhaps most importantly the attention given to the history of mentalities and the history of death as well as the shift in interest towards topics and persons previously neglected in traditional history-writing.[1] In the footsteps of Philippe Ariès and Michel Vovelle and their seminal works on attitudes towards death in the *longue durée*, historians have focused especially on attitudes towards self-inflicted death, discussing the intellectual and cultural history of suicide and in particular elite views of suicide.[2] Another strand in the field, in particular since the themes of social history and quantitative studies on mortality gained more ground, concerns the historical occurrence and phenomenon of suicide from different perspectives.[3] Some scholars have tried, for example, to trace historical roots and explanations for the high suicide rates in the modern Western world and to ascertain their origins and the cultural and social processes that could explain these developments.[4] However, the purpose of this book is not to attempt the impossible task of establishing early modern suicide rates, nor to research suicide as a phenomenon per se, but to examine the ways in which suicides were treated in the local community and in the lower courts—the first judicial instances and lowest, local levels of the secular judiciary, where offences like suicide were discussed. Like most other empirical studies concerning earlier centuries, this work has to rely on judicial documents, as they are virtually the only sources available recording suicides and the encounters between the law and the local communities.

The legal history of suicides has been well covered concerning most of Western and Central Europe,[5] and the legislation and judicial treatment of suicides have been studied perhaps most thoroughly concerning medieval and early modern England.[6] The official attitudes and authorities' treatment of suicides have also been discussed, although to a lesser extent, in the early modern Swedish and Nordic context.[7] For example, as early as in 1861 a Finnish lawyer advocating the decriminalization of suicide, Robert Lagus, published a detailed article about the legislation on suicide, comparing the Swedish laws to those of other countries.[8] Indeed, most studies discussing the legal history of suicide have remained at the normative level, i.e. studying legislation and

its evolution, or the crime rates and patterns of verdicts in early modern courts of law rather than the court procedures and trials themselves. Studies about the judicial practices and investigation of suicides in different types of courts of law combine the norms with the application of the law, revealing much more about the judicial treatment of suicides in the past.[9] This book, which draws on my recent doctoral dissertation,[10] focuses on the trials themselves, the very practical operations and interpretations of the lower courts and the local agency within them.

Research on the history of suicide in Scandinavia, as in southern and eastern Europe[11] and in particular concerning early modern times, is relatively scant.[12] A few studies have discussed the judicial investigations and court practices concerning suicide cases, although tending to focus more on sentencing patterns and Courts of Appeal than on suicide trials in the lower courts.[13] However, although both focus on the higher judicial tier in early modern Sweden, Bodil E.B. Persson's and Yvonne Maria Werner's studies on the investigation and sentencing of suicide cases provide especially useful points of comparison. Persson examined the penal practices of the Göta Court of Appeal and the lower court investigations of drownings in Scania in southern Sweden in the period between 1704 and 1718, while Werner studied the classifications and sentencing of suicide cases in the Göta Court of Appeal between 1695 and 1718.[14] However, most studies on suicide in early modern Sweden have focused on attitudes towards suicide.[15] This book continues these discussions while bringing to light new information on the investigations, classifications and sentencing of crimes of suicide and on the diverse views on suicide that manifested themselves in the selective treatment of such deaths within the communities and in the lower courts.

The setting of a vast, but sparsely populated and centralizing great power make the 'Swedish case' distinct and fascinating when compared to most of the more urbanized and densely populated areas of Europe. After all, the typical Swedish hamlets and towns were miniscule compared to most of those in Western, Central and Southern Europe, and the reach of the central authorities was still limited, taking into consideration that the Swedish Kingdom, which reached its zenith in the mid-seventeenth century, was the third largest in Europe. Almost constant warfare led to expansions, especially in the first half of the century with the Baltic forming a bond between various widely dispersed dominions. Although serfdom persisted in some of the territories acquired, Sweden continued to be a society of four estates, with the nobility,

clergy, burghers and peasants all represented in the Diet. The Kingdom and its inhabitants were relatively poor and the population remained sparse with an estimated 2.5 million people in the entire empire. At the turn of the eighteenth century, well over 90% of the population still resided in the countryside with most towns having fewer than 2000 inhabitants. In spite of regional differences, most of the area was characterized by great distances between towns and settlements and hence also between the administrative, central organs and the local institutions and lay office-holders. Sweden Proper (*Egentliga Sverige*), covering most of modern Sweden and Finland and comprising the territories that had been fully integrated into the Kingdom of Sweden since the Middle Ages as opposed to the dominions and possessions, subsequently acquired, was predominantly Lutheran, with Swedish as the official and administrative language. Also, by the seventeenth century, some of the more peripheral eastern regions, Northern Ostrobothnia and Karelia around the town of Vyborg, were considered integral parts of Sweden, namely its Finnish parts.[16]

Central Sweden, in particular the area around the capital, Stockholm, was more populous than the rest of Sweden Proper, although there were also relatively densely built areas in Southwestern Finland and along the coasts. Though virtually all depended on agriculture in one way or another, the population in the mining areas in Central Sweden also received income from iron and copper production, the communities in eastern Finland and Ostrobothnia were involved in tar production and those in the coastal areas and islands relied on fishing. Nearly everyone was involved in farming as family members or hirelings of freehold peasant farms. There were significant differences between the regional agricultural systems and demography. The population practised mainly crop rotation in different types of open-field systems. However, slash and burn farming was practised throughout Finland, but especially in its eastern half and in the forested, sparsely populated or formerly unsettled and peripheral areas where eastern Finnish people settled during the seventeenth century (especially Karelia, Kexholm and the eastern borderlands and the forested inland regions of Central Sweden). Population density and residential patterns differed between these areas: in the more recently settled areas characterized by labour-intensive slash and burn farming and tar burning, settlements were sparse and village communities were often extended households of the same kin or kin by marriage, while the regions characterized by open field systems included more

compact and nucleated villages with unrelated households. Nevertheless, typical villages within a larger parish or rural locality were not populous but rather hamlets, i.e. small settlements comprising just a couple of farmsteads and thus, perhaps some dozen or two dozen residents.

These characteristics had profound impacts on many aspects of life, resulting in regional differences, for example, in communication, in administrative and judicial functions and in everyday life and culture. Communication between the centres of power and upper levels of administration and the local administration, like the Courts of Appeal or provincial governors and the local office-holders or parish clergy, was significantly slower on the peripheries as which most of Northern Sweden and the eastern parts of the Kingdom can be categorized. After all, most of the rural localities and parishes were far from the administrative hubs such as the towns of Stockholm and Turku. Their local communities were in touch with the central authorities mainly via the bailiffs collecting the taxes, the lower court sessions held three times a year and the announcements of Crown orders and decrees sent by postal routes and read out in church by the vicar after the sermon. The number of Crown (or civil) servants in the countryside was low in respect to the population and their areas of responsibility, and most of those involved in the administration and enforcement of the law at the local level were resident peasants. In towns and certain other more compact areas in the central regions of the Kingdom, namely around Stockholm and in the mining regions, the officials were more numerous, distances significantly shorter and communication more regular. However, for the typical inhabitants of the early modern Swedish Kingdom—the peasant farmer or his family members, farmhands, maids or other landless, rural workers—encounters with the law or the machinery of the local and central administration were relatively rare occasions as the seasonal and daily agricultural and work cycles kept them busy earning their bread. The (ideally) weekly church service and the occasional lower court sessions were the main points of interaction with the central powers and authorities. Presumably, the common folk met or reached the local constables (*länsman*) or bailiffs, not to mention the district judges or juries, only under special circumstances.

The book focuses on these special encounters and interactions between the local communities and the judicial and central powers and their local representatives. Such occasions were decidedly uncommon; suspected suicides, like other felonies, were exceptional events that were

rarely discussed and investigated in the secular (or ecclesiastical) courts. The lowest level of the early modern Swedish judicial system operated on the local scene: the lower courts of each rural district (*härad/tingslag*) resolved the civil disputes and criminal matters in one or more rural locality (*socken*) and parish and the Town Courts (*rådstuvurätt/rådhusrätt*) convened in each town. In addition, there were some other special courts of law, like urban *kämnärsrätt* (a type of lower town court) that typically dealt with civil suits and minor criminal cases,[17] but the crimes and other cases involving the vast majority of the population were investigated in the most common types of lower courts, namely the rural lower courts (*häradsrätt/häradsting*). The lower court proceedings and those involved in them are presented in more detail in Chapter 4, but suffice it to say here that the lay members of the local communities had most of the important roles in them, with members of the local peasant or burgher elites serving on the juries. The hearings were oral, public events that everyone was free to attend and nearly all in practice eligible to share their information in the court sessions by giving evidence. Written or expert evidence (for example, medical or legal) was rare, at least in criminal trials. The district judge and his scribe toured their larger jurisdictional districts consisting of various rural lower courts, holding in each at least three sessions, the regular winter, summer and autumn sessions, a year, although before 1680 the appointed judge could deploy his representative or substitute (law-reader, *lagläsare*) to preside over the lower court sessions. They represented the Crown and legal expertise but administered justice together with the juries of 12 resident peasants; in towns, the corresponding functions were carried out by burgomasters and ten prominent burghers. The scribes kept the records of the events and testimonies in the trial, compiling narratives that were later sent to the Courts of Appeal, where better-educated lawyers checked and made their final decisions on the basis of written information. The judicature of most of Sweden Proper was under the supervision of two Courts of Appeal, with the areas in Northern and Central Sweden under the jurisdiction of the Svea Court of Appeal, established in Stockholm in 1614, and Finland and the other eastern areas under the jurisdiction of the Turku Court of Appeal, established in 1623.

The seventeenth and early eighteenth centuries in Sweden are characterized by multiple, profound changes and reforms at the administrative and judicial level. The Great Power Era (*stormaktstiden*, ca. 1611–1721) was not only an age of state formation and expansion, but also a period

characterized by the centralization of power, bureaucratization, professionalization, confessionalization, a 'disciplining process' of attempts to change morals to conform with Lutheran Orthodoxy and state interests, and a judicial revolution. As is well known, the term 'judicial revolution' has been widely used to describe the European trend starting from the 1500s in which the evolving early modern states monopolized the administration of justice and the use of violence and brought judicature increasingly within the control of the state rather than local communities and kin groups. Most importantly, this shift meant the replacement of restitutive justice by retributive justice. Although at times referring to the shift from informal, restitutive, communal(istic) justice that was typically dispensed outside the official structures to the administration of more punitive justice in state-controlled institutions, in the Swedish context the term refers to the many changes that took place within the secular court system. The power to determine what was 'right' and what was 'the truth' in disputes and criminal cases and to determine appropriate sentences and penalties was slowly transferred from the local communities that negotiated them in the local lower courts to the central authorities and their representatives. In Sweden this shift took place predominantly in the latter half of the seventeenth century. It has been interpreted that earlier the exercise of justice was closer to the local community and built on local co-operation and negotiation, enacted to obtain compensation and restitution for the offended party and to preserve local peace. Disputes were resolved and negotiated locally and the judicature was in the hands of members of the local community. In turn, as a result of reforms that increasingly centralized the state administration, the administration of justice became more state-controlled and the central authorities and state representatives played a more active and powerful role in judicature that became essentially more punitive and served state interests. The judicature professionalized and bureaucratized, with distant experts and individuals who were not members of the local communities determining the final legal outcomes. Obviously, these are polarized, simplified ideal types, but it has generally been agreed that the seventeenth century witnessed an increase in state control over the judicature.[18]

The most important aspect of the judicial revolution in Sweden was the reform of the court system with the introduction of Courts of Appeal since 1614; this introduced a hierarchical supervision of the lower level judicature and the right of these higher courts to overturn

the judgements of the lower courts and revise their sentences. At the same time, the judicature was 'bureaucratized'; lower court records had to be kept more systematically, with copies made and increasing emphasis on written documentation. As communication intensified, the central authorities were in a better position to oversee their subordinates. Due to increased hierarchization of the judicature and other state administration, for example with the introduction of the provincial administration and governors, office-holders took it upon themselves to maintain state interests at the local level and in the court proceedings. The personal advent of more office-holders and especially educated district judges has been understood to have decreased the significance of the local community in judicature. The increasing use of trial by jury and hence an increase in the importance of evidence and testimony, and finally the abolition of the procedure called the institution of oath-helpers—12 reputable men or women who swore that they believed in the accused's innocence—in 1695, has been seen as a sign of a decline in the significance and power of the local community in the lower courts. Uniform legislation was introduced, and issued in printed form in 1608. The requirements for district judges and burgomasters responsible for the judicature in the lower courts generally increased towards the end of the seventeenth century; the apprenticeships in the Courts of Appeal and university education in jurisprudence meant that the administration of justice professionalized.[19] The centralization of judicial power and greater state control over judicature was one aspect of the state-building process, entailing the concentration of legitimate political authority, the establishment of strong state power to control large armies and levy taxation and a 'modernization' of the administration characterized by the hierarchization of administrative structures, growing supervision and bureaucratization. For example, the Crown established several central agencies (*kollegium*) and other organs, including the Courts of Appeal and provincial administrations, to supervise the lower organs and minor officials and to assist in governance. The centralization of power and authority peaked when the system of government developed into absolute monarchy, roughly in the 1680s, with King Charles XI and later his son Charles XII having direct control over most matters, including taxation, law-giving and foreign policy, earlier decided by or in co-operation with the Diet.[20]

The early modern period has been characterized as a period of intensified 'disciplining process' as the state and authorities tightened their

control over the people and their lives. Great efforts were made 'top-down' to inculcate order, regulate behaviour and change the habits and norms of subjects to serve the needs and interests of the authorities in the early modern developing states. In Sweden, this intensified discipline manifested in harsher penal laws and their stricter enforcement with respect to many offences, and greater supervision and control over people's everyday lives with ecclesiastical discipline complementing the measures deployed by the secular officials and courts.[21] The same phenomenon occurred in all Protestant countries and is connected to confessionalization, or confession-building, in which the early modern states and churches enforced strict religious obedience and homogenous morals under threat of severe punishment in order to control and maintain unity and peace within their territories. In Sweden such religious orthodoxy was introduced especially by the promulgation of Mosaic law and the introduction of increasingly severe criminal penalties from the late sixteenth century onwards, augmented by the issuing of numerous ordinances during the seventeenth century. According to the Swedish theocratic ideology, the Crown was the enforcer of God's will, and held, as his representative, the monopoly and authority over life and death.[22]

However, it is clear that state-building, harsher discipline and the judicial revolution were not one-way, top-down or quick processes. The myth of early modern strong states has been challenged, at least when it comes to the possibilities in exercising official or formal social control and the top-down dominance of the state. Instead, interaction between rulers and subjects in the implementation of laws, reforms and administration, as well as popular demand and public participation, have been emphasized. In the administration of justice, as well as administration in general, the significance of local elites and local minor office-holders and co-operation with the local community was pivotal. In other words, the control perspective is not black and white, with reforms and sanctions imposed on the local communities from above.[23] The shift from restitutive, communalistic and local meting out of justice to retributive, state-controlled justice was not quick and dramatic but a slow and gradual process that continued in the eighteenth century. This meant that, although increasingly professionalizing and supervised, the Swedish lower courts continued essentially to be institutions that also served and mediated local needs and interests. They were social arenas characterized by negotiation, and places where the local community or its representatives met the authorities and together with them took part in the

construction of 'truths' and the dispensing of justice.[24] Ultimately, due to the informational limitations of the lower court records, it is challenging to evaluate the roles and shifting power relations between state and local communities and erroneous to understand them as opposites. It is similarly debatable to categorize those involved in lower court judicature as either members or representatives of the 'local community' or the 'state', perhaps with the exception of the diverse, local 'ordinary folk' testifying or appearing as defendants or plaintiffs and the learned district judge, often an outsider in the locality. Most persons involved, like the rural constable (*länsman*) and the jurors (lay members of the lower court), had many roles in and between the local communities and the state administration and attended to their part-time state posts only occasionally, while still having solid, close local ties and alliances and making a living primarily in the local economy and agriculture.[25]

This book continues the discussions about the processing of crimes, the judicial revolution and legal cultures in early modern Sweden by examining what happened in the lower courts in the treatment, investigation and sentencing of suicides. In taking a 'from below' rather than a 'top-down' perspective, I am especially interested in what took place at the grassroots level during the trials in terms of the activities and roles of the various persons involved in lower court judicature and in local participation, co-operation, interaction and negotiation. Suicides, like obscure cases of sudden deaths in general, were more challenging to investigate than most crimes due to the lack of both a plaintiff and a defendant. Moreover, as highly exceptional crimes, suicide cases were perhaps more open to various interpretations and susceptible to local negotiations due to a lack of legal custom and experience in dealing with such matters. The book provides new information about the judicature in early modern Sweden by examining the prosecution and investigation of crimes in practice.[26] Also, I contribute to the important discussion about the different variables, in particular the socio-economic positions, social ties and reputation of the accused, that influenced the determination of guilt and the form of punishment in the early modern Swedish lower courts.[27]

After this Introduction, which presents the background, scope and source material of the book, the second chapter describes the attitudes and reactions towards self-killing in early modern Sweden. First, it presents the secular legislation on self-killing and the authorities' responses to suicide in the context of the laws and views prevailing in Europe. Suicides were not all alike, even by law or according to the judicial

authorities, as the understandings of the gravity of the act varied, notably depended on the mental state of the deceased. The chapter connects the official and religious attitudes towards suicides, as manifested in normative texts and various other, mostly 'elite' writings, with the typical reactions of local communities when faced with suicide. I explore what happened when the corpse of someone who had died suddenly in suspicious circumstances was discovered and present the most common responses and the reasons for these, but also a variety of other reactions, including transgressions of the existing taboos on touching and burial concerning the corpses of suicides. Regardless of the harsh views and teachings of the authorities, the local responses were characterized by selectivity.

Chapter 3 continues the discussion of the events that took place *before* the lower court trial, and in particular, the practicalities related to the indictment of suspected suicides. The prerequisites as well as difficulties and challenges for a successful prosecution process of suspected suicides are explored first. What conditions had to be fulfilled for suspicion of suicide to arise and for a case to be prosecuted? In addition, I examine the possible regional differences in the risks involved and the opportunities for formal social control in the early modern Swedish Kingdom, and show how indictment depended on participation and co-operation with the bereaved and the local lay communities. Finally, the chapter examines the rising crime rate, i.e. sentencing rates towards the end of the seventeenth century and the reasons for this. Thus, I seek to contribute to the discussion on the fluctuations in crime rates and the growing suicide rates that earlier research has connected to various changes in society. Many jurisdictional, administrative and cultural changes affected the indictment of suicides, and cannot be overlooked in the scrutiny of any crime rates. Most importantly, I connect the proliferation of suicide cases sentenced in the secular court system with source survival and jurisdictional clarification in dealing with suicides.

After indictment comes the trial. When suspected suicides ended up in the lower courts, how were these tricky cases—lacking a living defendant—investigated? Chapter 4 presents the persons involved, events and practices in investigating suspected suicide cases in the lower courts and outlines the typical course and characteristics of a suicide investigation. The public lower court trials are approached as stages for interpretation and negotiation in which several members of the local communities and state officials participated. The topics include the challenging matter

of classifying a death as suicide or not and the investigation of the mental state of the accused, both being essential for the determination of guilt and the form of punishment. By comparing the records of suspected suicide cases with different outcomes, I examine what types of evidence served as incriminating, corroborating or counter-indicative when establishing the guilt or 'innocence' and the sanity or insanity of the accused. I also discuss the possible effects of the professionalization and the centralization of the judicial system on the judicature at the local level.

Chapter 4 sets the scene for the following chapter, where I turn my attention to the outcomes of these investigations, in particular in the trials of those who were sentenced for having committed suicide. Chapter 5 focuses as a whole on the varying interpretations and sentencing practices in the suicide trials from an intersectional perspective. It begins with a discussion of the ways in which the local communities and lower courts were selective in making sense of and explaining suicides, which, in turn, had a direct impact on the sentencing case by case. The 'cultural scripts' and stereotypes of suicides influenced the casuistic, official interpretations reached in the lower courts. Earlier research has suggested that any mitigating evidence and circumstances, such as the insanity of the accused, were more likely to be argued for and accepted in the case of those of higher social standing (estate) and better socio-economic status.[28] In analysing the selective judicial treatment of suicides, I explore a series of related questions such as: what kinds of people were indicted and sentenced for suicide? How did the accused's social status and ties influence the interpretation, classification and the form of punishment imposed in the lower courts? How were the 'truths' constructed in the lower courts and what was the significance of the local communities and interests in this construction? The last part also presents the wide variety of punishments inflicted posthumously on suicides by the lower courts.

The concluding Chapter 6 draws together and highlights the key themes and findings of the preceding chapters. The multifarious ways in which suicides were received and investigated by the communities and the lower courts show that these exceptional crimes were treated selectively during an era when judicature became in general more centrally controlled and professionalized. Regardless of the ideals, totally 'objective' justice hardly existed, and the treatment of suicides manifests how the particular context and circumstances, especially the social status and ties influenced the local reactions and the official interpretations reached in the lower courts. A major finding is that suicide is an

ellusive, nebulous and ambivalent phenomenon, both in regard to how it was conceived of and to how it was treated in the lower courts, where the role of the deceased's household and local communities was pivotal. The analysis of the prosecution process and the activities in the trials, the selectivity in the treatment of offences and the discrepancy between the law and its enforcement in practice show that the local communities and interests continued to have an important role in and impact on the judicature. A comparative perspective in the micro-level shows how the judicial revolution was a gradual process, with all functions fundamentally intertwined with the activities, interests and possibilities of local people and lower-level office-holders.

Unlike most studies on early modern crimes in Sweden, this book covers an area larger than one or a few rural localities or towns or a single region, combining and comparing cases from Central Sweden and the Kingdom's eastern parts, Finland and Kexholm. Studies on crimes or judicial practices that include both the modern Swedish and Finnish areas, not to mention all parts of the former Swedish Kingdom and cross modern national borders are surprisingly few.[29] Recent studies on the history of suicides have addressed previously uncharted or less-explored areas,[30] which helps to build up a more comprehensive picture of the phenomenon, its patterns and treatment in the European past, or even globally. A by-product of this book is that it answers the need for empirical research on uninvestigated areas.[31]

The material for this book consists primarily of lower court records and other judicial documents collected from Sweden Proper, and in particular from Central Sweden, Finland and Kexholm near the eastern border. The bulk of the suicide cases occurred in the areas outlined in Map 1.1, although sporadic cases have also been used from other regions. Obviously, as for all collections or case samples of suicides, the selection is not comprehensive and cannot include all the suicides nor suicide trials that took place even in these areas, as source survival varies and factors related to indictment change over time. However, based on comparisons the material covers at least the majority of suicides on which sentences were imposed in the rural parts of these regions in the latter half of the seventeenth century. At the time, most of the regions outlined in Central Sweden comprised roughly a single administrative province (*län*) governed by provincial governors (*landshövding*) responsible for the supervision of the local administration and law and order of this area.[32] The areas in modern Finland and in the east were selected due

Map 1.1 The approximate areas from which cases have been collected in early modern Sweden (ca. 1660) (Map by: Spatio Oy)

to source survival and accessibility, discussed further below. In any case, each region marked here comprised dozens of parishes and rural localities (*socken*) as well as several jurisdictional districts (*härad*) that held lower court sessions at least three times a year.

The areas investigated in detail are Uppland, Kopparberg, Västernorrland, Västmanland, Örebro and Västergötland in Central Sweden, including some of their towns. I have also collected cases more systematically from the eastern side of the Swedish Kingdom, from Southwestern Finland, the large area of (Northern) Ostrobothnia, rural Karelia around the town of Vyborg, the easternmost Kexholm Province and Savo.

The areas cover central, integral parts of the Swedish Kingdom, namely the busy and more densely populated region around the capital, Stockholm, in Central Sweden as well as Southwestern Finland near the important administrative centre and commercial town of Turku, coastal Ostrobothnia and rural Karelia around the town of Vyborg in the east. The areas also include interesting conquered and peripheral regions that provide an opportunity to compare the treatment of suicides with that in 'old Sweden'. Alongside the more integrated and established parts of the Swedish realm, judicial material has been collected from the Province of Kexholm in the east, which was conquered in 1617, as well as from Jämtland and Härjedalen in Central Sweden, which were acquired from Denmark-Norway in 1645. Kexholm was in many ways treated and considered as a separate territory (conglomerate) from Sweden, while Jämtland and Härjedalen were more incorporated administratively into the Swedish Kingdom.[33] Although there were some differences, especially in administrative structures and political privileges in Kexholm, the regions illustrated nevertheless form a cohesive whole and are comparable, for the same Swedish law and judicial structures applied to all of them. Also, the lower courts of the areas were mostly under the supervision of two Courts of Appeal, with the areas in Central Sweden under the jurisdiction of the Svea Court of Appeal (with the exception of the southern Västergötland under Göta Court of Appeal) and Finland and the eastern areas in the jurisdiction of the Turku Court of Appeal.[34]

However, the material does not cover the entire realm, as it does not include cases from the recently conquered southern part of Sweden, from the mainly forested northern parts of Sweden and Central Finland or from the large territories gained in the Peace of Westphalia in 1648 in modern Estonia, Latvia and northern Germany. Most of the regions

conquered during the seventeenth century can be excluded here as they did not share the same judicial structures and legislation of the Swedish Kingdom.[35] However, as Sweden Proper including Finland did, the findings regarding the judicial treatment of suicides in the lower courts can be extended to apply to most of the Kingdom.

Nonetheless, it must be emphasized that despite their judicial status, the regions outlined in Map 1.1 were not economically, demographically and culturally uniform. Even though Swedish legislation, administration, taxation, Swedish as the official language and the Lutheran religion and church organization characterize most of the areas outlined and were introduced into the above-mentioned conquered regions, there were considerable differences between the regions. As already mentioned, although agriculture dominated as the source of livelihood, the methods of cultivation were different, resulting in distinct demographic and residential patterns. The rural regions in the very centre of Central Sweden were relatively populous and densely populated, close to important towns and closely connected to the capital and central authorities, typically accessible by major roads and characterized by small administrative and jurisdictional districts (*socken, härad/tingslag, domsaga*). Also, most of southwestern and coastal Finland was densely built and well connected by sea and roads to the central administrative organs. Yet, roughly speaking, the northern inland and westernmost parts of Central Sweden, inland Finland and Kexholm were peripheral regions as they were very sparsely populated, remote, included vast areas of forested, marshy or mountainous wilderness and usually comprised larger administrative and jurisdictional districts and few towns, and so also fewer officials.[36] This rough outline does not mean that there was no very specific local variation, as after all, most rural localities had at least slightly a more densely populated central village surrounding the church, and even the more 'central' regions included remote settlements, tiny hamlets, uninhabited 'local peripheries', for example, in the form of forested wilderness on the outskirts of the localities.

In addition, cultural practices in these regions varied. The vast majority of those living in Finland (and after Finnish immigration, in Kexholm) spoke Finnish, even though Swedish was the official language and used for most documentation. The Finns (*finne*, *finska*) formed the numerically largest minority in the Swedish Kingdom and were considered a separate populace from Swedish-speakers although they enjoyed the same rights and privileges. In general, Finland (*Österland*), although

fully integrated into the Swedish realm, was considered a somewhat special entity and a separate part of the realm on the other side of the Gulf of Bothnia.[37] Also, the religion, culture and languages spoken in the recently acquired Kexholm Province on the eastern frontier differed from those of the rest of the Kingdom in the early decades as the population there had been accustomed to another law, administration, taxation, Russian language and eastern Orthodox religion. However, the mass emigration of the eastern Orthodox population to Russia, the continuous immigration of Finnish-speaking Lutherans and the conversion and integration politics slowly integrated and acculturated the population to 'Swedish' culture, with most of them accustomed to the ways established in Sweden Proper by the late seventeenth century.[38] No doubt there were various other cultural differences between the different parts of the vast Kingdom given the dissimilar natural conditions, sources of livelihood, languages, population density and locally formed traditions.[39]

As the focus is on the most common locus of suicide investigations, the lower courts in the countryside, where the vast majority of the population lived, towns and their Town Courts are not as well represented in the material. However, the material includes cases from some of the towns in Central Sweden, as well as from Turku. The capital has been for the most part excluded as its conditions were in no way comparable to those prevailing in the rest of the Kingdom. Stockholm was certainly exceptional, with its 50,000–60,000 inhabitants in the last decades of the seventeenth century, its numerous lower court organs and its different societal conditions (such as residential density and occupational structure),[40] compared to other towns in Sweden, which, as mentioned, were minuscule, with typically fewer than 2000 inhabitants.

Court cases were collected from the early 1600s until the 1730s before a new criminal law, the Code of 1734, came into force. Thus the focus is on the period when the first law that criminalized self-killing in Sweden, known as King Christopher's Law, was in use and, as a universal law since 1608, was applied in both rural and urban areas. The material includes altogether 189 cases that resulted in suicide sentences and of which the lower court records or other adequate information about the trial have been tracked down. Chapters 4 and 5 on the lower court investigations are primarily based on this material, and also about 50 other lower court records of cases of suspected suicides, which the lower court ended in acquittals. However, in total 256 cases at the very least mention a suicide sentenced in the lower court in the seventeenth and

early eighteenth centuries, but the information regarding the lower court investigation in these documents or mentions is very scant. As already suggested by these numbers, the informational value of the sources varies greatly, but the main sample of the 189 cases manifest the characteristics of the lower court trials. The vast majority of the cases (149 of those with more detailed information about the investigation) come from the latter half of the seventeenth century, as due to source survival and other reasons discussed in Chapter 3 on prosecution and crime rates, only sporadic cases have been preserved for earlier decades, not to mention previous centuries. Only eight lower court records (and information on only 11 sentences) have been traced from the first half of the seventeenth century. Also, the early decades of the eighteenth century are less represented in this book, with only 32 court investigations with suicide verdicts scrutinized in more detail, as I have not attempted to collect cases as systematically. However, these cases already suggest continuing patterns in the investigations. Thus, although the time frame is broad, due to the limited case material located the main focus is on the second half of the seventeenth century.

As noted earlier, the period of interest here was characterized by several developments and reforms related to the judicial revolution and centralization of powers. Although many of the administrative changes had been initiated earlier in the sixteenth century, the standardization of the legislation and judicature as well as the hierarchical structures in the supervision of local and judicial administration were introduced in the first decades of the seventeenth century. Nonetheless, their enforcement and implementation in practice took some time, which makes the long seventeenth century a particularly interesting period for examining the development of legal praxis in the lower courts and the judicial treatment of crimes, and here, suicides.

The time frame of this book ends in the early eighteenth century, with cases since the year 1700 underrepresented and no longer systematically collected. As mentioned, 32 cases are used in examining the lower court investigations in greater detail. In discussing the penalties, I have included information on 59 suicide sentences passed in the lower courts from the first decades of the eighteenth century. Most of these occurred before the year 1720, when a royal letter decreed that suicide cases were no longer to be referred to the Courts of Appeal for review unless there were justifiable reasons to appeal the case.[41] Moreover, the situation, especially in Finland and the eastern areas changed, as the judicature was

hampered due to the Great Northern War (1700–1721) and the period of Russian occupation.[42] As is well known, the war signified the end of Sweden's period as a Great Power, which also serves as a good point to conclude the span of this book.

The emphasis on the latter half of the seventeenth century also has to do with the collection methods and aids at my disposal for tracking down the archival material. The case material was compiled primarily with the help of existing card-indices and Court of Appeal documents, most importantly the index for the so-called sentence letters sent by the Svea Court of Appeal to the respective provincial governors and a topic-based-index of the seventeenth-century lower court records concerning the Finnish and eastern areas. The sentence letters concerning suicide cases (and other felonies) sent by the Svea Court of Appeal have been preserved more consistently and systematically since the latter half of the seventeenth century,[43] and the lower court records of the areas in Finland and Kexholm Province have been better preserved and indexed from the latter half of the century.[44] I used the former to trace suicide cases in Central Sweden. The information in the sentence letters in which the Svea Court of Appeal informed the provincial administration about the final sentences it passed on felonies was used to track down the relevant suicide case in the lower court records held in the National Archives of Sweden (Riksarkivet)[45] or in the respective lower court archives (*häradsrättsarkiv*) preserved in the Provincial Archives of Uppsala.[46] At times the lower court records are missing but the information in the letter still relatively satisfactorily describes at least the main points of the lower court investigation. Although the legislation in force since the 1630s spoke of the necessity to submit the verdicts of felonies, *högmålssaker*, thus including suicide cases, to the Courts of Appeal,[47] it appears that suicide cases were referred to the higher level inconsistently until approximately the 1660s. It was perhaps not until 1687 that the guidelines on referral were clear enough, and prior to the Church Law of 1686 the jurisdiction over suicides was unclear as the Church was also involved in dealing with suspicious deaths. The preserved letters also include sporadic cases from some of the Town Courts from Central Sweden.[48]

Most of the cases on the Finnish side and in the easternmost areas come from the areas and periods for which the lower court records have been indexed. The card-indices include information of the extant copies (*renoverade*) of lower court records that were submitted to the Turku

Court of Appeal from the rural lower courts of certain Finnish and eastern areas during the seventeenth century. They cover records from various rural lower courts in Southwestern Finland, Northern Ostrobothnia, Eastern Finland (mostly concerning jurisdictions in Karelia around the town of Vyborg) and Kexholm Province roughly between 1620 and 1700,[49] although there are significant temporal gaps. I used the thematic indices and their keywords 'burying a suicide' and 'investigation into the cause of death' to locate the relevant lower court records. Based on comparisons, the coverage of the card-indices on suicide cases is relatively good and taking into consideration the temporal gaps in the preserved records, the seventeenth-century material used in this book includes the vast majority of the available sentenced suicide cases in the Finnish and eastern areas outlined in Map 1.1.

Also, the documents sent by or contained in the archives of the Courts of Appeal are useful for tracking down cases of suicide (and other felonies), but unfortunately the relevant parts of the Svea and Turku Court of Appeal archives have been largely destroyed. Documents concerning criminal cases before the nineteenth century have been preserved only fragmentarily. Although the material was collected mainly with the aid of the above-mentioned card-indices, I also used the sporadic material available on criminal verdicts passed by the Svea and Turku Courts of Appeal to locate suicide cases.[50] For example, the compilations of criminal sentences passed by the Turku Court of Appeal preserved from the years 1665, 1666, 1667 and 1669 in the archives of the *justitierevisionen* (a section of the royal council managing the king's judicial business and responsibilities) include information on the lower court sentences of nine new cases.[51] However, the extant material of these Courts of Appeal contributed very few additions to the main sample.[52]

In addition to these, sporadic cases have been tracked down and included from published source editions of lower court records and with the help of other researchers.[53] I also made use of court cases described in more detail in the research literature and other types of source publications. Most importantly, nearly all the court cases from Västergötland (14 out of the 17 investigations resulting in suicide sentences) come from Carl-Martin Bergstrand's collection of suicide court cases tried in the area of Västergötland between 1634 and 1821.[54]

The main material consists of lower court records, sentence letters and the above-mentioned detailed narratives of the investigations that describe the trials and cases that the lower courts classified and sentenced

as suicides. However, whenever necessary for comparative purposes—in particular in outlining the evidence and other factors that influenced the classifications made in the court investigations I also examined cases of suspected but acquitted suicides. These are cases in which the possibility of suicide was investigated but the lower court ruled them to be accidents or natural or other types of death. In any case, the body of 189 descriptions of lower court investigations that resulted in suicide sentences provides a representative sample of the judicial treatment and investigation of suicides in Sweden Proper.

The vast majority of the case material consists of lower court records, namely the copies (*renoverade*) of the original (*koncept*) lower court records. The latter were kept during the trial and later copied or slightly edited and sent to the respective Court of Appeal. The gaps in the series of the copies of the lower court records (*renoverade*) are difficult to fill, as the original (*koncept*) records are only sporadically preserved before the eighteenth century. The records were kept and copied in various ways before becoming more systematized in the latter half of the seventeenth century, in particular concerning felonies that were at times investigated in extraordinary lower court sessions outside the general flow of the three yearly sessions. However, the survival of the records of extraordinary court sessions is very haphazard before the mid-eighteenth century.[55]

The lower court records describe the events that took place and the information that was shared, typically by local, lay witnesses, during the trial. Naturally, various technical and formal guidelines and record-writing conventions affected the composition of the lower court record text. The widest variation in record-keeping can be found in the first written descriptions of the trial, the original (*koncept*) court records that the scribe put together during the trial. As they were notes written down in 'real time' as the events of the trial and the depositions unfolded, the course of the trial and the many voices of the different persons involved (judge, officials, lay members of the court, defendant, plaintiff, witnesses) do not necessarily form a meaningful sequence. Based on these records, the scribe subsequently compiled a new transcription, a copy of the lower court record (*renoverade dombok*), which was sent to the respective Court of Appeal for review. In these, they recorded the most important events and the course of the court sessions, typically condensing the discussions and investigations and writing down the main pieces of evidence and testimonies heard and the verdict reached by the lower

court. In other words, the scribes interpreted and 'translated' the events that took place and all that was said in the courtroom (the oral communication) to form written and more formal narratives. The scribe had to condense, edit and even translate (from Finnish to Swedish) the spoken accounts into a coherent, elegant and flowing narrative according to the rules of the legal genre. As the record was to be sent to the Court of Appeal, the records had to meet their needs by making at least the relevant information available. However, alongside combining the key information of each case, the records convey the oral exchanges and events in the trial and reveal characteristics of all parties involved; they were supposed to record all evidence as faithfully as possible for the Court of Appeal to reach a correct, just and final decision. Nevertheless, the informational value of the records varies greatly; in particular, the length and inclusion of details in the descriptions of testimonies varies, presumably due to the style and level of precision favoured by the scribe. Some include seemingly irrelevant details of everyday life as described in the testimonies, discerning voices and debates in more detail or the interrogation of witnesses, for example, in question-and-answer form. The lay witnesses might speak relatively freely, contributing information assumed to be important. However, especially before the 1660s, some scribes have only included a brief, coherent narrative that omits the details and discourses. In general, it is possible that the storylines of cases were at times adjusted to convince the Court of Appeal of the outcome and verdict. Thus the relationship between 'the reality' of the courtroom and its documentation is somewhat uncertain.[56]

The contents of the lower court records are described in more detail in Chapter 4, which examines the investigations. However, I will briefly present their form here. All the lower court records begin with a short introduction or preface in which the date and the location of the hearing as well as the most important officials participating in the trial are presented. The second paragraph consists of a list of the names (and home villages) of the local lay members of the court (jurors, *nämndeman*, or in the Town Courts, *rådmän*). Next, each case usually opens with an accusation, with the introduction of the matter and the major participants. The record continues with local people and local officials presenting arguments and counter-arguments, or testimonies, and the lower court at times questioning the participants. It is difficult to determine how well the recorded, paraphrased descriptions of these spoken arguments and testimonies correspond to what was actually said. The participants'

narratives and testimonies are typically recorded in the third person, but in such a coherent fashion that the scribe has clearly edited them. Finally, the record and the investigation of a case concludes with the verdict and sentence of the lower court, typically with a mention that the jury considered or voted on the matter. The lower court records of suicides (and other felonies) include a separate section at the end, entitled verdict or sentence. This part usually includes a short synopsis of the case and the verdict and the form of punishment passed, and sometimes includes a list of the arguments for the decision. Finally, the record ends, in suicide cases, with a formal statement about the case being referred to the Court of Appeal for review.

Similarly, in the case of the other judicial documents describing suicide cases and investigations, the purpose and established norms of writing influenced the content and form of the documents. Another important source type in this study are the sentence letters sent by the Svea Court of Appeal to the provincial governors. It could be said that these were copies of the copies of the lower court records (*renoverade domböcker*) but this would be an oversimplification. The clerk of the Svea Court of Appeal composed them on the basis of the documentation of the discussion held on the case by the Svea Court of Appeal lawyers: this discussion was in turn based on the written information in the lower court record sent to the Court of Appeal. The sentence letters are formal documents personally addressed to the respective provincial governor for the purpose of informing him about the Svea Court of Appeal resolution so that he would arrange for the appropriate penalty to be imposed. Again, the informational value of these letters varies. All include at the very least the main pieces of information emerging in the trial and deemed relevant for the conclusion reached by the lower court and the Court of Appeal. The synopsis of the case either presents the various witnesses and their claims and testimony separately, in similar fashion to the lower court record texts, or edits the past event under investigation into a single narrative based on the various testimonies, which have not been specified or separated from each other. The letters, although certainly very indirect windows into the lower court investigations, nonetheless show what information had come to light in the trial and which evidence was considered relevant and had served as grounds for the verdicts. Comparing the lower court records and sentence letters of the same cases shows that the letter typically included the main points of the testimonies, and thus, indirectly, contain information on the lower court

investigation and interpretation. The case summary ends with a mention of the sentence and form of punishment passed by the lower court. After that, the final sentence of the Court of Appeal, and at times also its grounds, are written down in a separate section, entitled *Resolutio*.[57]

Also, although the focus is on the lowest and local level of the secular judicature, I have used cases discussed in ecclesiastical courts, in particular the chapters (Bishop's Courts, *domkapitel*) when examining attitudes towards and the jurisdictional issues in relation to suicide in Chapters 2 and 3. In addition, of course the legislation, most importantly King Christopher's Law as well as the ordinances and royal letters (decrees from the King) supplementing it, are of the essence here, as are various printed books of guidelines and other juridical works that served as aids for lawyers and judges. Official legal materials are supplemented by contemporary, mostly legal or theological, writings on suicide, crime and other relevant topics that include valuable information on the views and treatment of suicides in early modern Sweden.

The focus here is on the deaths which the contemporaries classified as crimes and the type of punishable death understood as 'suicide' in early modern Sweden rather than any modern concepts and definitions of suicide.[58] After all, although the basic definition of suicide as a deliberate, self-inflicted death has been much the same for centuries, the understandings of (the degree of required) intentionality and direct, personal action, and thus classifications of deaths, have varied across cultures.[59] As will be shown, the early modern categorization of suicide does not always correspond to the modern concept of suicide. Most importantly, the study shows that 'suicide' is a culture-specific, socially constructed concept in the sense that assigning a death to this category was not entirely consistent and was rather a product of situational negotiation. It must also be pointed out that there was no common term or concept for suicide in Sweden during this period as these acts were usually referred to with verbs such as to kill (*förgöra*), or to hang or drown, oneself. The term *sielfspilling* (self-killing, ending/destroying/wasting oneself) is perhaps closest but only occurs sporadically in the sources.[60]

All the judicial documents describing the case material and most of the other material used in this study, were written in the Swedish of the time. Some of the court records and literary works are in or include Latin or contain brief quotes in Finnish (such as speech the witnesses ascribed to the suspect). All translations in quotes from Swedish and Finnish from the sources were made by the author.

Numerous administrative, occupational and other terms and titles have been translated from Swedish into English and are explained as they occur. Original terms or quotations appear primarily in the endnotes, or following the term or quote in parentheses whenever necessarily.

Notes

1. Historiographical reviews, see Healy (2006), Lederer (2006), Odén (1998b), Rosen (1971), Snyder (2007).
2. Views of philosophers, theologians, jurisprudents etc. on suicide studied, for example, by Amundsen (1989), Bähr (2002), Cahn (1998), Cooper (1989), Crocker (1952), Fedden (1938), Ferngren (1989), Frey (1999), Gates (1988), Grahn (2014), Hill (2004), Minois (1999), Myllykangas (2014), Mäkinen (2014), Schreiner (2003), Sprott (1961), Watt (1997), Wymer (1986). Also, the second of Alexander Murray's monumental volumes on suicide in the Middle Ages comprises excellent discussion on the medieval and earlier discussions on suicide (Murray 2000).
3. For example, Anderson (1987), Jansson (1998), MacDonald and Murphy (1990), Mäkinen et al. (2002), Schär (1985), Watt (1996, 2001).
4. For example, Anderson (1980, 1987), Bailey (2000), Jansson (1998), Lane (1999), MacDonald (1986), Schär (1985), Watt (2001).
5. For example, Bosman (2004), Deschrijver (2011), Dieselhorst (1953), Fenger (1985), Groot (2000), Houston (2010), Koslofsky (2004), Kästner (2012), Laragy (2013), Lind (1999), Luef (2016), Pfannkuchen (2008), Seabourne and Seabourne (2000), Schrage (2000), Vandekerckhove (2000), Wacke (1980). See also Lederer (2006).
6. For example, Butler (2006a, b, 2007), Groot (2000), Houston (2010), MacDonald and Murphy (1990), Stevenson (1987).
7. For example, Fenger (1985), Jansson (2004, 90–94), Lagus (1861), Nygård (1994, 110–22), Odén et al. (1998), Ohlander (1986b), Pajuoja (1989), Thunander (1996).
8. Lagus (1861).
9. For example, Dieselhorst (1953), Persson (1998), Werner (1998).
10. Miettinen (2015).
11. As pointed out already in Healy (2006, 918–19). Except, for example, Dickenson and Boyden (2004), Lederer (2006), Morrissey (2006).
12. On the research on the history of suicides in Sweden, see Odén (1998b). Durheimian views and quantitative studies on suicides, homicides and suicidal murders in Stockholm between 1600 and 1719: Jansson (1998, 2000, 2004). The death statistics compiled since the 1750s as well as sporadic cases from earlier times used as examples in Ohlander

(1986a, b), Mäkinen et al. (2002). Death statistics compiled since the 1750s have been also used in Holopainen et al. (2010), Ketola (1989), Lindelius (1979), Verkko (1951). Sporadic cases from eighteenth-century Stockholm and Central Sweden have been used in Arne Jarrick's studies that focus on attitudes towards suicide in Sweden (Jarrick 2000a, 2000b, 2001). See also following notes.

13. Thunander (1993, 1996), Werner (1998).
14. Persson (1998), Werner (1998). Also, Arne Jarrick has briefly discussed some incriminating, aggravating and mitigating factors in the trials over suspected suicide cases in Stockholm between 1700 and 1718 (121 cases of which most were acquitted i.e. classified as accidents or unclear) (Jarrick 2000a, 54–58; 2000b, 304–7).
15. For example, Jarrick (1993, 2000a, b, 2001), Ohlander (1986a), Pajuoja (1989).
16. For general overviews, see, for example, Karonen (2008), Villstrand (2011). For maps and demographics, see Haapala and Toivo (2007, esp. 86–87, 94–95, 100–1, 116–19, 128–29, 132–35), Palm (2000, 2016).
17. Karonen (1994, 1995, 89–91), Tamm et al. (2000, 49). Also, for example, *lagmänsrätter, gruvrätter, bergstingsrätter*, military and naval courts, university consisteries (Oja 2006, 15).
18. Aalto et al. (2000, 223–32), Kaspersson (2008), Lindström and Simonson (1993), Sundin (1992, esp. 447–52), Thunander (1993, esp. 282–85, 298–99), Österberg and Sogner (2000, passim). More generally in Europe, see Lenman and Parker (1980).
19. For example, Gustafsson (2010, 159–60), Korpiola (2014), Sundin (1986).
20. Gustafsson (1998, 2010, esp. 117–45), Jonsson (2003), Karonen (2008, 182–94, 289–307), Österberg (1991).
21. Kekkonen (1991, 146), Ylikangas et al. (2000, 116–19). Critique, see for example, Jarrick and Söderberg (1994), Roodenburg (2004), Sundin (1986).
22. Kotkas (2013, 100–1), Pihlajamäki (2006), Ylikangas et al. (2000, 116–19). For the discussion of this general (social) disciplining and confessionalization in early modern Europe, see, for example, Schilling (2007), Wallace (2004, esp. 191–94).
23. For example, Gustafsson (2010, 160–65), Karonen and Hakanen (2017), Kaspersson (2008). See also Hallenberg et al. (2008), Holenstein et al. (2009), Jarrick and Söderberg (1994), Roodenburg (2004), Österberg et al. (2000, esp. 241–44).
24. For example, Aalto et al. (2000, 223–32), Kaspersson (2008), Pihlajamäki (1996, 142–43), Sundin (1986).

25. For the controversial position of the jurors between the authorities and the local populace, see, for example, Haikari (2011, esp. 231–32), Katajala (1994, esp. 230–33), Sundin (1986, 59–61). See also Taussi Sjöberg (1996), Österberg (1989, 1991, 1992).
26. Adding to what has been said, for example, of the practicalities and pieces of evidence used in rape, bestiality and drowning investigations in the lower courts. Jansson (2002), Liliequist (1992), Persson (1998). The latter also discuss the practicalities in the indictment: Liliequist (1992, 39–48), Persson (1998, 141–51).
27. Various scholars have noted indications of the selective sentencing of crimes based on the perpetrator's socio-economic standing and local ties. For example, Sundin (1992, esp. 137–57, 161–62, 477), Jansson (2002, esp. 319–26, 333), Laitinen (2013), Andersson (1998, 36, 47–49), Lennartsson (2013). The possible impact of a 'high' social status on the judicial treatment of suicide cases in early modern Sweden has also been briefly discussed (Jarrick 1997, 199–201; 2000a, 98–99; Persson 1998, 197–200; Werner 1998, 86–88; 2000, 41–42).
28. See the previous endnote, and, for example, MacDonald and Murphy (1990, 127–29, 250), Minois (1999, 142–47), Andrew (2013, esp. Chapter 3).
29. Except, for example, comparative studies on urban crime: Karonen (1998).
30. For example, Bell (2012), Bähr and Medick (2005), Deschrijver (2011), Kästner (2012), Luef (2016), Merrick (2006), Miettinen (2015), Sommerville (2018), Schmidt-Kohberg (2003), Silkenat (2011), Snyder (2015), Strocchia (2015), Watt (2004), Weaver and Wright (2009).
31. Expressed, for example, in Healy (2006, 918–19).
32. The regions outlined in Map 1.1 are merely indicative, as the borders of Provinces were shifted time and again and the card-indices used in collecting the material, described later, cover varying areas in different time periods.
33. Gustafsson (1998, 203), Katajala (2005, 21–35), Villstrand (2011, 295).
34. Katajala (2005, 21–35), Haapala and Toivo (2007, 135). However, the judicial matters of Kexholm Province were for a short period between the 1660s and 1684 dealt with in the Tarto Court of Appeal in modern Estonia (Katajala 2005, 23–25).
35. Gustafsson (1998, 201–3). For example, most of southern Sweden acquired from Denmark-Norway in 1658, i.e. Skåne, Blekinge, Halland and Bohuslän, were allowed to keep their laws and privileges.
36. On the sizes of the jurisdictional districts of judges, i.e. *domsagas*, in which a single judge took care of the judicature, see Almquist (1954), Haapala and Toivo (2007, 133), Holmberg (1959). Sizes of lower court

districts, *härad/tingslag*, that had joint court sessions and one bailiff, and about the rural localities, *socken*, that had one rural constable (*länsman*): Almquist (1954), Jutikkala (1959, 29–31), Lagerstedt (1973), Trolle Önnerfors (1996–2007). Important towns and administrative centres: Haapala and Toivo (2007, 101, 114), Villstrand (2011, 423–25). Information about the distribution of population, settlements and major roads, see Haapala and Toivo (2007), Palm (2000), Stenqvist Millde (2007), Friberg (1951, 1954).

37. Karonen (2008, 26–29), Lamberg (2013), Lehtinen (1986). For example, the 'Forest Finns' (*Skogsfinnar*), i.e. the Finnish migrants who settled in forest areas of Central Sweden, were recognized as a separate group. Bladh and Wedin (2006).
38. Katajala (2005, esp. 21–57), Laasonen (2005).
39. For example, the religious culture was not homogeneous, regardless of the efforts of the Swedish Lutheran Orthodox state Church (Malmstedt 2007; Toivo 2016). Also, the conquered Jämtland and Härjedalen differed culturally from Sweden Proper; many spoke Norwegian and some remained loyal to the Danish king (Villstrand 2011, 295).
40. Jansson (1998), Jarrick and Söderberg (1998).
41. Kongl. brev dated 28 January 1720, in Abrahamsson (1726, 726). However, even after that many suicide cases were referred to the Courts of Appeal (Werner 1998, note 7).
42. Karonen (2008, 315–20).
43. The card-indices are preserved in the Provincial Archives of Uppsala (Landsarkivet i Uppsala, ULA): Kortregister över Svea Hovrätts kriminaldomar (KSHB). The indices consist of cards in which the basic information of the preserved sentence letters have been logged, and are organized by Province and chronologically. However, the series of the sentence letters include gaps. I have used letters from ULA: KSHB: Upplands län/Uppsala Province (sentence letters preserved, indexed and collected for this study 1634–1638, 1640–1663, 1681–1703 and from the year 1712); ULA: KSHB: Kopparberg Province 1634–1705; ULA: KSHB: Gävleborgs län/covering most of Västernorrland Province 1635–1672 and 1677–1705; ULA: KSHB: Västmanland Province 1652–1707; ULA: KSHB: Örebro Province 1634–1701. For more information see Liliequist (1985), Oja (2006).
44. These so-called TUOKKO-indices are preserved in the National Archives of Finland (Kansallisarkisto) and have also been digitized. For lists of the rural localities/districts whose lower court records, and the periods they have been indexed, see Kansallisarkisto (National Archives of Finland): *Kansallisarkiston luettelot 220: 1–2: Tuomiokirjakortisto.*

45. Riksarkivet (RA): Svea hovrätts arkiv (SHA): Advokatfiskalens arkiv, Renoverade domböcker (Collection of engrossed lower court records).
46. For example, ULA: Kopparbergs läns häradsrättsarkiv and Västmanlands läns domstolarkiv.
47. For example, in resolutions from 1634, 1647, 1651, 1653 in Schmedeman (1706, 222, 269–70, 294–96), Abrahamsson (1726, 670). Again clarified in the Instructions for the Provincial governors in 1687 in Schmedeman (1706, 1100–1).
48. However, towns are clearly underrepresented. For example, only a few suicide cases are mentioned from the most populous towns of the area during the seventeenth century, Falun (two cases), Uppsala (one acquitted) and Västerås (one acquitted suicide of a minor), while in the Town Court of Turku, with a population comparable to Falun, six suicides were sentenced between 1655 and 1666 alone.
49. Kansallisarkisto. *Kansallisarkiston luettelot 220: 1–2: Tuomiokirjakortisto.* The TUOKKO-database digitalized for Kexholm Province http://www.narc.fi/Arkistolaitos/tma/kaki/. Map of areas the TUOKKO-indexes cover, see Haapala and Toivo (2007, 133).
50. Riksarkivet (1999, 418–25), Oja (1973). Some criminal verdicts from the years 1626, 1695 and 1699 preserved in RA: SHA: Huvudarkivet B III b 1–3. Other extant material in the Svea Court of Appeal archives on crimes does not include adequate information of suicide cases. E.g. RA: SHA: Huvudarkivet D III b: 1. Förteckning öfver hofrättens bref i högmålssaker 1636–1641 or D IV: 1. Prejudikatsamling: Index rerum criminalium eller Promtuarium in rebus criminalibus. I have also included information about the suicide cases presented in a compendium of Svea Court of Appeal cases in RA: Riksarkivets ämnesamlingar. Juridika I. Becchius-Palmcrantz' juridiska samlingar. Vol. 5. However, its lack of detail made it impossible to track down the relevant lower court records. Sporadic cases have also been briefly presented in RA: Riksarkivets ämnesamlingar. Juridika II. Åke Rålambs Samble Book. Vol: S and Juridika III. Alfabetiskt register över olika juridiska förhållanden. Vol. 7: S About these collections, see Riksarkivet et al. (1996, 309–10).
51. RA: Justitierevisionen, Åbo hovrätts arbetsberättelse 1665–1667, 1669 mention a case already included in the main material based on the TUOKKO card-index from Lapvesi in 1665, as well as new cases from Turku 18 April 1665, Turku 11 April 1666; Turku 24 September 1666; Westwick 17 November 1666; Påelssböle 23 March 1667; Raisio 23 April 1667; Salo 9 March 1669 and Sauvo 12 June 1669. The books include a brief description of the case, the lower court sentence and the verdict of the Turku Court of Appeal.

52. The aforementioned volumes include only four new cases that have not already been included based on the card- indices and whose lower court records have been included: RA: SHA B III b 1: 2, 109–11, Kriminella resolutioner 6 May 1695 which is a case from Örebro Province: ULA: Grimstens häradsrätts arkiv A I: 2, n.p., Grimsten 27 February 1695; Provincial Archives of Turku (TMA): Archives of Turku Court of Appeal Dbc: 1, fol. 2, 50, Eura 18 May 1631 and KA: RT Turku RO z 34: 119–23, Turku 7 April 1666 and 349–50, 359–61 Turku 17, 19 and 22 September 1666 from the Justitierevision's archives information of the Turku Court of Appeal verdicts. Of course, the compedia include various mentions of suicides sentenced in the lower courts, for example, the Becchius-Palmcrantz' juridiska samlingar vol. 5 includes 26 new (i.e. not already included in the material based on the sentence letters) mentions from the jurisdiction of the Svea Court of Appeal, but the information has typically been too scant to track down the relevant lower court records.
53. For example, in Rääf (1861), Sjödahl and Edestam (1995), Svenungsson (1970), Zakariasson (1980). The cases from Savo (5 sentenced suicides and 1 acquitted from the seventeenth century) have been tracked down with the help of Miia Kuha and two cases investigated in the Turku Town Court from the 1650s have been tracked down with the help of Riitta Laitinen. Also, Evelyne Luef and Mikko Moilanen have provided a few cases from the early eighteenth century.
54. Bergstrand (1976). Also, single cases and investigations described in detail, for example, in Kallioinen (2005, 212–13), Liedgren (1982), Odén (1998a).
55. Liliequist (1992, 1), Tamm et al. (2000, 51). See also Aalto (1996, 44–47).
56. See also, for example, Toivo (2016, 17–20), Virrankoski (1970), Sabean (2001), Eilola (2003, 41–45).
57. See also Oja (2006, 27–28).
58. Thus, many types of self-killings that could be considered suicide by the modern reader, like the executions of those who had committed 'suicidal murders' or other capital crimes for the sole purpose of receiving a death sentence, or probable suicides which the contemporaries classified as accidents or something else, are not treated as 'suicides' in this study. About the various indirect forms and borderline phenomena, see, for example, A. Jansson (1998, 49–70), Krogh (2012), Liliequist (1988), Stuart (2008).
59. See, for example, Douglas (1967, esp. 227–29), Kilpeläinen (2012, 110–19, 131–34), Marsh (2010, esp. 79–89), Ohlander (1986b, 31–35).
60. See also Svenska Akademiens Ordbok: Själv-spillning; Självmord; Kolehmainen (2003).

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CHAPTER 2

Attitudes and Reactions to Suicides in Early Modern Sweden

Two neighbouring and more densely populated localities or parishes (*socknar*, *socken*) in the district of Lappee experienced quite exceptional events around the year 1680. The lower court convened in the town of Lappeenranta first in January and then in September 1680 to investigate the suicides of a maidservant from Joutseno and a peasant wife from Lappee.[1] On the eastern border of the Swedish Kingdom the administrative and jurisdictional district (*härad*) of Lappee covered a large, mainly forested area and rural parishes surrounding the small town of Lappeenranta, northwest of the town of Vyborg. Although situated along busy roads around the town with the largest market in Finland, the district was quite sparsely populated with under 2000 inhabitants. Some roadside villages were more compact, but as traditional slash and burn agriculture served as the main source of livelihood most settlements were dispersed. The inhabitants of Karelian villages were often related or much intermarried.[2]

In the first case, a farmhand had found the body of a young maidservant, Margeta Eskillsdotter, swollen and barely alive on the beach. Several servants as well as her relatives and her master's neighbours arrived on the scene. Regardless of others' demands, Margeta's sister refused to resuscitate her and the maidservant soon succumbed. After this clearly shocking event, her master went straight to the district judge and told him what had happened. Although Margeta's demise had occurred in November 1679, the investigation did not take place until

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January 1680 as the judge was on the circuit and busy organizing the other court sessions of his district. In the interim, Margeta's corpse was left lying on the shore to await the judgement of the secular court. In the trial, the tragedy was described by various local witnesses. According to them, Margeta had drowned herself in the lake, after having severely wounded her master's son Nils with an axe. Although Nils denied it, the two had probably been lovers and Margeta had been under the impression they would marry. Yet, as Nils refused to proceed with the matter, Margeta had started to threaten to harm him during the autumn of 1679. After the attempted murder, Margeta ran to the nearby lake in an attempt to drown herself but had returned, only to discover that Nils was still alive and the people of the house were resuscitating him. Thus Margeta ran back to the water, and was soon found dying, having dragged herself from the cold water to the shore.[3]

In August 1680, the suicide of a blind and insane peasant wife, Brita Persdotter, also caused commotion in the nearby locality of Lappee. Brita's husband Hendrik had found her hanging in the drying barn. Soon after the discovery, Hendrik and his son went to tell their neighbour, who brought his wife and children with him to see 'the ghastly spectacle'.[4] The same day Hendrik informed the local bailiff of the event and he wrote to the district judge. The locals, including the neighbours and the curate, were aware of Brita's insanity and agreed beyond doubt that the husband had not been involved in the hanging. Although word of the tragedy spread quickly, it took nearly six weeks before the case was heard in the lower court, during which time Brita's corpse continued to hang in the barn: no extraordinary court session was arranged and the case was not investigated until the next autumn court session in October.[5]

These are just a few examples of the ways in which suspected suicides were received in the vast Swedish Kingdom during the seventeenth and early eighteenth centuries. Both cases show that suicides were exceptional events that caused consternation in the local communities and required extraordinary measures and outside involvement. Judicial documents like these are the only available sources describing the local and practical reactions, varied reception and official measures taken when families, the clergy and servants of the Crown encountered deaths that had taken place in obscure circumstances.

In an effort to understand why people reacted to such deaths by involving officials and shunning the corpses, we must examine the

prevailing attitudes to suicide. This chapter discusses the responses of the local communities and the authorities faced with a suspected suicide, with a focus on the contemporary attitudes to self-inflicted deaths and on the reactions and events before, and outside, criminal trials.

Self-killing in the Legislation

The laws in force explain the actions taken by the bereaved and villagers after discoveries such as those in Lappee: they contacted Crown officials like the district judges and bailiffs. The legislation—concerning both 'secular' judicial and ecclesiastical matters—decreed that a death by suicide should not be handled like other deaths. Instead, suspicion of suicide required a judicial investigation and trial by jury. The Law of the Realm, King Christopher's Law of 1442, had introduced the crime of suicide among the most serious offences. The Law had been in use since its promulgation, but more widely after its printing and official ratification as the universal law of Sweden in 1608, until replaced by a new one in 1736. It stated that a suspected suicide was to be investigated without delay in the lower (district) court. A jury of (ideally) 12 resident landholders should examine the case and the appointed district judge was to pronounce a verdict. The sentence and penalties were imposed on the deceased, or more so on the corpse or remains of the deceased. A person who had killed himself 'in whatever way' should be taken to the woods and burnt on a pyre. However, if the person had been insane, or literally if it turned out that he had been so deranged as to be incapable of avoiding accidents, the remains should be buried in ground outside the churchyard. Lastly, the chapter on suicide states the heirs are entitled to keep the inheritance of the deceased.[6]

Thus, as in most of Western and Central Europe, and in Scandinavia, a death by suicide was no private matter but required the involvement of officialdom and a criminal investigation. Various medieval territorial and national laws made it clear that the body of a suicide could not be treated in the same way as other deceased persons. A wide range of post-mortem punishments and desecrative disposals, characterized by highly ritualized practices, were in use for the corpses of suicides. The treatment meted out to the corpses evinced wide local variation, with the form of disposal either the same for all suicides, or dependent on the suicide method, or the gender or mental state of the deceased.[7]

For example, in Norway, the earliest extant territorial code to be written down in medieval Europe, the Gulathing Law, stipulated that suicides should, like other wrongdoers, traitors, perjurers and thieves, be taken out to the countryside and buried or dumped at the coast 'where sea and grass meet', i.e. on the edge of the tideline.[8] In many towns in the southern and western parts of the German-speaking world, suicides were punished and disposed of by putting the corpse in a barrel and then throwing it into the river.[9] The law codified in 1300 for the town of Lille in Northern France stipulated that male suicides were to be dragged to the gallows and hanged while the bodies of female suicides were to be burnt.[10] The practice of hanging suicides' corpses, a symbolic form of criminal execution, was in use in some French-speaking areas, in Spain, and in parts of Flanders and the Low Countries.[11] Suicides could also be decapitated, or a stake could be driven through a suicide's interred body pinning it to the ground—both obvious attempts to prevent potentially dangerous corpses from haunting and harming the living.[12] In England, suicide was treated as a felony by the early twelfth century, and suicides were buried at crossroads with a stake driven through their chests.[13]

Alongside these exceptional forms of disposal of suicides' corpses, punishment usually involved ritualistic extraction of the corpse from the place of death and its subsequent dragging or other degrading transportation to the disposal site.[14] The result of all these practices was the same: the punishment for suicide excluded the person from receiving Christian burial, and from all its ceremonies, process and interment inside the church building or in the cemetery.[15]

As is well known, and has been widely studied, burial prohibitions and sanctions of some sort for those who had died by their own hand or otherwise breached the norms of 'dying well' have long roots in the European past. However, even though the origins of the burial sanctions and disapproval of suicide can be traced back to antiquity, condemnation of suicide became more unconditional only after the Christian Church formulated its views on it and gained a strong foothold in European society.[16]

The harsh Christian moral position on suicide was formed in the volatile sociopolitical setting in the newly Christianized Roman Empire of the late fourth and fifth centuries. St. Augustine (354–430) can be credited with the formulation of the subsequent 'Christian position' on suicide. He condemned it unequivocally, equating suicide with murder, and thus a breach of the commandment 'thou shall not kill' in Mosaic law.[17]

The Church had by the eighth century denied suicides votive offerings and ceremonies, and thus also Christian burial. A string of medieval canons continued this prohibition, linking the act with diabolic forces and *desperatio*, which, as distrust in God's mercy, was viewed as one of the gravest sins. A despairing individual was perceived as believing that his deeds were beyond all pardon, and thus transgressed not only against God by doubting his benevolence and power, but also against the Church by doubting its powers of intercession. The Church and compilations of canon law deemed various malefactors, including heretics, the excommunicated and those who had 'voluntarily' killed themselves as debarred from hallowed ground. Dying unrepentant in grave sin meant that the remains were to be denied burial and funeral rites in the church or churchyard—a penalty which reflected the exclusion of their souls from salvation and the Christian community. As territorial lords and kings adopted their roles as sovereign rulers and upholders of God's will and laws, civil authorities began to criminalize the sinful act in their secular legislation.[18]

The abovementioned King Christopher's Law of the Realm, passed in 1442, was the first secular law that criminalized suicide in Sweden, including its Finnish-speaking eastern regions. At the time of its creation Sweden was a part of the Kalmar Union, a political union that united the three kingdoms of Denmark, Norway and Sweden under a single monarch. Replacing the older provincial laws that were in use in the Swedish regions and King Magnus Eriksson's Law of the Land for the countryside and King Magnus Eriksson's Town Law, it introduced some new crimes, suicide among them, and more severe penalties for many crimes. It also amended certain regulations relating to the King's position and privileges to better meet the needs of the Union king and the Swedish nobility.[19]

No doubt the contemporary foreign legislation also provided models for criminalizing self-killing in the Swedish areas in the late Middle Ages. As mentioned, canon law and several territorial law codes in Western and Central Europe already included stipulations concerning suicides and their disposal. Those compiling King Christopher's Law consisted of the Swedish secular and ecclesiastical elite, of whom most were no doubt educated and familiar with the continental laws and practices and the *ius commune* taught in the European universities.[20]

However, as there are no records extant about the preparations and discussions related to the compilation of the law, it is difficult to explain

the contents of the provisions on suicide, the choice of words or the forms of punishment. At least neither the Norwegian legislation mentioned earlier nor that in Denmark, which included no specific penalties for suicide and at the time, following Roman law, only mentioned confiscation of the estates of suicides convicted of felonies,[21] were not taken as models. However, in Iceland the law stated that suicides were to be buried outside the churchyard unless they had repented; they should be buried, without singing, far from farmsteads, fields, pastures and places from which farmsteads took their water supply.[22] In turn, the east offered no examples of criminal punishments for suicides as in the neighbouring Novgorod Republic and Muscovy self-killing was not criminalized in the secular law until the early eighteenth century.[23]

King Christopher's Law includes very specific forms of punishment for suicide, namely burning at the stake in the forest, with the exception of the insane, who were interred outside the churchyard. The model for the penalty of cremation was possibly taken from the German law codes and the area of the Holy Roman Empire, to which Swedish jurists had close ties. Many thirteenth- and fourteenth-century statutes and customs in those regions included burning the suicide's body. A gloss to the *Sachsenspiegel*, dating from the 1320s or 1330s, stipulated that suicides were to be dragged through the streets to the place of execution where their remains were to be burned or buried. Also, for example, in fifteenth-century Frankfurt am Main and Nuremberg burning was among the penalties prescribed for suicides. Moreover, in numerous French, Spanish and Italian regions and towns and in parts of Flanders suicides, especially female suicides, could be burnt by the gallows.[24]

In general, various types of post-mortem corporal punishments, including burning, were already established penalties in the earlier Swedish legal tradition. Cremation was a habitual form of corporeal, typically post-mortem punishment for felonies and crimes that were considered especially grave and 'unnatural' sins. The predecessors of King Christopher's Law had stipulated burning at the stake, for example, for perpetrators of bestiality and those who had murdered by witchcraft.[25] Besides sane suicides, King Christopher's Law ordered the burning of arsonists and perpetrators of bestiality as well as women who had committed infanticide or murder by witchcraft.[26] Destruction by fire could be understood to purify and counteract the polluting effect of such sinful acts. The diabolic forces and sinfulness associated with suicide might adhere to material things, including the body and the instruments of the

suicide, thereby rendering the remains profane and potentially dangerous and distinctive rites necessary.[27] Moreover, some at least believed that remaining outside hallowed church grounds and, in particular, burning the corpse could prevent its resurrection.[28] As for burials outside consecrated grounds, like those stipulated for 'insane' suicides, those who were executed, hanged, buried alive or broken on the wheel for their crimes were similarly denied the funeral ceremonies and were typically disposed of in the place of execution or otherwise outside the usual burial grounds.[29] In general, distant and liminal locations like the gallows, carrion-pits and marshes, were used for the remains of suicides throughout medieval Europe.[30]

Another feature suggesting foreign influences in the chapter on suicide is the fact that, although most of the punishments for other felonies in King Christopher's Law were based on the offender's sex,[31] in the case of suicides the distinction was based on the mental state of the perpetrator. Although the tradition of imposing milder punishments on the insane had deep roots in Swedish legislation and legal praxis,[32] it is noteworthy that elsewhere King Christopher's Law mentions distinct forms of punishment for the insane in only one chapter, namely that concerning manslaughter.[33] Instead of insanity, intentionality and premeditation had for long been central issues in medieval Swedish legislation and legal praxis; the laws recognized involuntary manslaughter and made distinctions between harm caused intentionally and accidentally. As in many law codes in Europe, absence of evil intent resulted in lower penalties.[34] Although the phrasing in the chapter on suicides also refers to this, by allowing a more lenient punishment for those who were so 'out of their mind' that they did not have the capacity to avoid accidents, it is noteworthy that insanity is emphasized here.[35]

It has been suggested that medieval laws in Europe rarely made a distinction between premeditated, sane suicides and those committed by the insane. However, by the thirteenth century, canon lawyers came to agree, after adopting the Roman legal tradition, that a madman could not generally be held responsible or liable for his actions. Nevertheless, it was not until roughly the fifteenth century that Continental and English secular laws and judicial customs began to distinguish between the 'willful' and the *non compos mentis*, and started either to entirely exempt the insane from criminal punishment or at least from the more severe corporeal punishments passed on the sane.[36] These currents in European legal thinking and praxis probably inspired the compilers of King

Christopher's Law to distinguish the forms of punishment for suicide. However, as the penalty of a burial *outside* the churchyard shows, insanity did not constitute a full defence entirely exonerating the offender from guilt, accountability and punishments.

Yet another characteristic indicating clearly foreign influences—or at least a reaction to practices elsewhere—is the last phrase of the chapter on suicide, explicitly confirming the right of the heirs to the estate of the deceased.[37] Alongside the exclusion of Christian burial, the Roman law had come to influence the medieval secular legislation concerning suicides. The *Corpus Iuris Civilis*, compiled under the Emperor Justinian in the sixth century, included provisions stipulating confiscation of a suicide's estate if the act had been committed in consequence of a crime punishable by seizure of the whole property.[38] After the reception, or assimilation, of Roman law around Europe, many areas adopted this penalty, confiscating the suicide's estate, lands and/or movable property. For example, in Denmark an ordinance passed in the 1250s stated that the property of convicted traitors who killed themselves was to be confiscated by the Crown. Likewise the first imperial legal code of the Holy Roman Empire, the *Carolina*, promulgated in 1532, punished suicides who took their own lives to avoid criminal prosecution for felonies entailing confiscation.[39]

However, especially in various Western and Central European regions, the stipulations of Roman law were misunderstood, and forfeiture was extended far beyond those who had been suspected or convicted of felonies punishable by confiscation. Various practices and restrictions on the confiscation existed throughout Europe. In parts of France, Flanders, Germany, Spain and Denmark forfeiture of estate, property or some belongings was extended to *all* suicides. Nevertheless, confiscation was applied selectively and was a relatively rare occurrence in continental Europe. In England suicide came to be viewed as a felony during the 1230s, and thus punishable by confiscation of property.[40]

The stipulation—and even the phrasing—concerning inheritance in King Christopher's Law is similar to that in the German *Sachsenspiegel*, which, although heavily influenced by Roman law nonetheless stated unequivocally that the inheritance should pass to the deceased's next of kin.[41] In general, most serious felonies in Sweden appear to have been punishable by death without confiscation. Only those found guilty of treason were punished with both execution and confiscation of their property by the Crown. The Crown also took its share from the

possessions of those who had been sentenced to death for killing the master or mistress of their household.[42] Perhaps this limited use of confiscation had to do with the relative poverty and ready availability of untapped land and other resources in Sweden, and the complex property rights and land use system in which ultimately the Crown (or before the Reformation, also the Church) had full rights of ownership (*dominium plenum*) of most of the lands. Confiscation of land, real property, or movables, from the widows, children or other heirs might, of course, imperil their survival, and be detrimental in the very sparsely populated kingdom.

It must also be pointed out that the law mentions nothing of the criminality of suicide attempts, and the court records do not mention such attempts being punished until the very end of the seventeenth century. Yet in various places in Europe attempts had in practice been punished by the secular authorities since the Middle Ages.[43] Also, the law included no provisions for aiding, abetting or driving someone to suicide, or complicity in or covering up another's suicide.[44]

In turn, the legislation concerning the Swedish Church followed different paths for centuries. There is no doubt that the Catholic burial sanctions, concerning heretics, criminals, the excommunicated, suicides and the like, reached Sweden soon after the Christianization period. The provincial synod of Swedish bishops in Arboga in 1396 ordained that robbers, arsonists and 'other malefactors' were to be denied burial and funeral rites in the church or churchyard.[45] Other 'cemetery outlaws' in the ecclesiastical regulations in medieval Sweden included the excommunicated, unbaptized children, pirates, brigands and robbers of churches and churchyards.[46] A statute passed in the synod of bishops in Söderköping in 1441 made explicit mention of suicides among them, emphasizing that if burial in church or the churchyard was allowed, it would contaminate the consecrated ground. However, following contemporary canon law it merely made reference to those who had 'voluntarily' killed themselves.[47] Thus, it can be assumed that in the Catholic era, before and even after 1442, when King Christopher's Law came into force, the Swedish clergy refused to bury at least those whom they considered to have killed themselves deliberately, in 'sane' mind in church grounds, although it is possible that they conducted burials of those deemed insane when taking their own lives.

After the Reformation, the Swedish Lutheran Church largely continued the Catholic policy in its regulations and guidelines on how to deal

with the corpses of suicides. The main ecclesiastical codes, the Church Ordinance of 1571 and its successor, the Church Law of 1686, continued to treat suicides as a special category of death warranting exclusion from the normal Christian funeral rites. The Church Ordinance of 1571 served as the first universal code for the Lutheran clergy in Sweden and as the basis of Swedish ecclesiastical legislation for over a century. It emphasized that, like many others dying without atonement and in sin, those who had deliberately killed themselves could under no circumstances enter the churchyard, for they had been in despair. However, unlike the secular legislation on suicide, it explicitly exempted the 'insane', or those who had killed themselves in delusion (or mental confusion) from the burial prohibition.[48] The *Nova Ordinantia Ecclesiastica*, passed in 1575 to supplement the Church Ordinance, specifies that suicides, like other grave sinners and criminals, were to be denied burial in church grounds, honourable and public burial and bell-tolling.[49]

This meant that the Church praxis remained long in conflict with the secular legislation in force; chapters (Bishop's Court, *domkapitel*) and individual clergymen allowed burials in church grounds for those deemed insane when killing themselves. Furthermore, under mitigating circumstances, they even allowed burials for some 'sane' suicides.[50] However, the Church Law of 1686 resolved the problematic jurisdictional conflict and stated that the secular courts were to investigate and pass sentence in cases of suicide, and decide on all burials of people who had died while sinning.[51]

As the medieval King Christopher's Law became outdated in the eyes of legal scholars, its application changed in legal praxis. Most importantly, the legal praxis was modified after the introduction of Courts of Appeal that since 1614 monitored the lower levels of the judiciary, including the lower (district) courts in the rural areas and the Town courts, in which most crimes of suicides were investigated.

After the trial and before the sentence was carried out, all suicide cases were, like most other felonies, to be referred to the Court of Appeal, which would commute or uphold the outcome. This praxis even persisted well after a royal letter in 1720 stated that unless there were justifiable reasons to appeal the case, all lower court sentences to interment should be executed without submitting the case to the Court of Appeal.[52] These higher courts, staffed by academic lawyers and legal scholars, based their decisions solely on the documents submitted by the lower courts, namely the lower court records. The first, and chief

of these was Svea Court of Appeal in Stockholm, and four more were established around the large kingdom during the seventeenth century. The Turku Court of Appeal oversaw the judicature of Finland and the easternmost regions while in the southern parts Göta, and especially the Dorpat and Greifswald Courts of Appeal had less vast jurisdictions.[53]

While the lower courts were, at least in principle, to follow the outdated, medieval law in their sentencing, the Courts of Appeal generally modified and commuted (*leuteration*) forms of punishment to milder, more lenient sentences. The Courts of Appeal, although in principle only supposed to check and confirm the legality of the sentences, were fairly independent in tracing mitigating or aggravating circumstances and acquitting cases, commuting sentences, and altering and imposing new forms of punishment.[54] The Svea Court of Appeal, as the ruling Court of Appeal in the realm, created precedents regarding suicides, especially in the late 1690s. Resolutions made in 1695 confirmed that the correct form of punishment for insane suicides was to allow the relatives and other honourable folk to bury the corpse *inside* the churchyard in silence and without ceremony.[55] Another precedent created in 1700 further confirmed that the corpses of sane suicides were to be taken to the woods and *buried* there by the public executioner.[56] For both insane and sane suicides, these forms of punishment reflect what had already become Court of Appeal praxis by the 1660s at the latest. In fact, a wide variety of punishments and burials were in use as the final penalties at the level of the Court of Appeal, depending on the circumstances of the case.[57]

Further amendments to King Christopher's Law include a precedent created in 1695 allowing minors a silent burial inside the churchyard but in outlying spots. It stated that the chapter on suicide should not be applied to minors for their suicides were comparable to manslaughter committed by them and should be considered accidental.[58]

Alongside such precedents, mostly created since the last years of the seventeenth century, various ordinances and royal letters with statutory force brought some changes to the legislation concerning suicide. In 1698 an ordinance, applicable at least in principle in cases of suicide, stipulated that inducement to, participation and complicity in felonies was to be punished with prison, forced labour, running the gauntlet or whipping.[59] In 1710 a royal letter ordered that it be applied in a rather peculiar manner: if someone had misled the clergy to bury a suicide not meriting a religious burial, that person should be punished with

imprisonment, running the gauntlet or whipping.[60] Thus attempts to conceal a suicide became punishable in 1710.

Suicide attempts could moreover be punished in the secular courts since the late seventeenth century. The precedents of 1695, 1696 and 1704 stated that suicide attempts and other such 'violence against one's own body' were punishable by a heavy fine and ecclesiastical penalties—adding that the penalties were to be the same as if the perpetrator had violated another person. Although the medieval law mentioned nothing of this, the lower courts began to pass sentences on such attempts in the 1690s.[61]

The chapter on suicide in the finally completed new law, the Code of 1734 that came into force in 1736, incorporated most of these modifications and Court of Appeal practices that had been in use for decades. It remained in force until 1864 in Sweden and until 1889 in Finland, which by then had become a part of the Russian Empire. The punishments for suicide were as follows: the sane were to be taken to the woods and buried there by the public executioner while the insane could be taken care of by others and buried (in practice, inside the churchyard and in silence). Intended to serve as a deterrent, attempted suicide was incorporated into the Code of 1734 and punishable with imprisonment and/or whipping. The section on suicide also made other additions: those who had falsely confessed to capital offences (i.e. for suicidal purposes) were to be punished like attempted suicides. Moreover, it became punishable not to try to save the person who was attempting suicide. The chapter also mentions that anyone could pick up the corpse of a suicide and store it until sentencing, and that in unclear cases the deceased were to receive honourable burials, unless they had led otherwise 'godless' lives.[62]

Contemporary Views on Suicide

The legislation and penalties in use reflect the harsh official, mainstream attitudes towards suicide. In seventeenth and early eighteenth-century Sweden the reasoning and moral theological justifications for punishing suicides remained largely unchanged, with the argumentation based on the authors who had become standard on this topic, mainly Aristotle, St. Augustine and Thomas Aquinas. The Swedish scholars spoke of suicide as a violation of the will and authority of God, a sin against God, nature and society, and an injustice towards the community and the state which

were deprived of their member. The sins of despair (*desperatio*) and impatience were particularly often linked to the act. Furthermore, like all sins and in particular killings, suicide angered God and thus required punishment as an atonement.[63] Luther had also written about the necessity of public secular punishments, both to deter others from the act and in response to a perceived increase in demonic activity. In his brief writings on suicide he emphasized the role of the Devil, who tempted people to fall into despair and kill themselves.[64] The general stance was that those who took their lives deliberately were destined for Hell. Thus, as stated in a draft for the Church Ordinance compiled in 1561, suicides could not be buried in the churchyard among the Christians, for they were no longer considered a part of God's congregation and the holy resurrection.[65]

In the era of confessionalization these ideas had a strong foothold in the predominantly Lutheran Swedish Kingdom. The official message was unambiguous, and the arguments manifold: killing oneself was reprehensible and, first and foremost, a grave sin against God. As the vicar of Ulleråkers explained to Hans Erichsson, a farmhand who had wounded himself in 1688, suicide was entirely prohibited:

> The vicar asked him what he was thinking about, and whether he had inflicted the wound himself or if it had been done by someone else, saying that it is not permissible to take one's own life, for God has given the said life and can take it back when He pleases. And by doing so, one steps into God's shoes and commits a reprehensible sin.[66]

On the other hand, the developments in the legislation and legal praxis suggest that in the course of the seventeenth century, official attitudes became slightly more lenient. Abandoning burning the remains of 'sane' suicides at the stake and allowing silent interments in church grounds for the 'insane' are certainly clear alleviations compared to the penalties prescribed in medieval law. In the mid-1600s, the custom in Sweden was, according to a prominent legal scholar Claudius Kloot, that sane suicides were dragged roughly to an infamous spot where the corpse was burned.[67] However, the surviving sentences by the Svea Court of Appeal show that by the 1670s burnings at the stake were almost invariably commuted to burials in forests, near gallows or at other remote places and carried out by the public executioner.[68] In fact, a piece of legislation proposed in 1643 had already suggested that the corpse of a suicide

should be taken and buried in the woods rather than being burnt at the stake.[69] During the seventeenth century most of those sentenced for witchcraft, bestiality or infanticide were, after execution, still burnt at the stake.[70] The proposals and final verdicts abandoning the burning of the corpses of those who had killed themselves while sane suggest that suicide was no longer considered as heinous as these other grave sins and felonies.

Nevertheless, the issue of the condemnation and punishability of suicide was twofold. By the seventeenth century in Sweden, as in western and continental Europe generally, voluntary and intentional, i.e. premeditated suicides committed while sane were indeed categorically condemned and regarded as criminally punishable (as earlier) but in theological and legal thinking a tendency had emerged towards leniency in cases of insane and infirm suicides. In fact, it is possible that, as for example in medieval England,[71] such leniency and selectivity had existed earlier, but the scarcity of sources on suicides in Sweden makes it difficult to verify. But the view on extenuating circumstances, which could not remove but might significantly reduce criminal liability for suicide, existed among seventeenth-century Swedish jurists. In particular, the insane were considered to have diminished criminal responsibility, and thus be eligible for mitigated forms of punishment.[72]

Legislation proposed as early as in 1605 suggested that those who were insane or infirm, or those who were literally raving mad (*rasande*) or mentally delusional (*huffwudwill*) to the extent that they could not beware of fire, water or other dangers, *or* had killed themselves in a state of great (mental) weakness induced by illness (*stor siukdoms swagheet*) or melancholia, could be buried inside the churchyard, without further prescribing penalties such as the denial of funeral rites.[73] The bill compiled in 1643 also separately exempted insane and physically ill suicides from the punishment of shameful burial.[74] Similarly, the discussions on the suicide chapter in the late 1690s show that at least some of the legal authorities considered that insane suicides should not undergo the disgraceful punishment of burial outside the churchyard. In 1695 and 1699 *assessor* Bromen argued that the insane should instead be allowed burial without ceremonies inside the cemetery. One argument for this was that it would alleviate the shame of the bereaved.[75] The draft in 1696 also proposed that the insane be buried in the churchyard without the usual rites and funereal procedures, i.e. silently. Nevertheless, people who had killed themselves in 'anger, evil intent, impatience, despair or otherwise

intentionally' should be taken to the woods by the executioner and buried there.[76]

Such punishments were already in use at the level of the Court of Appeal by the latter half of the seventeenth century: the insane, including those who were considered to have been suffering from mental illnesses or mental weakness (*hufwudswaghet*) or had otherwise diminished mental capacities because of dotage, minority, fever or other severe physical ailment, were usually granted a burial inside the churchyard, although in the inferior and outlying locations and without ceremonies or clergy present.[77] Moreover, as mentioned, even the legislation concerning the Swedish Lutheran Church exempted the insane from the general prohibition of burying suicides in church grounds.

This type of interment would, of course, have been much less shameful than the punishment of burial outside the churchyard. Nevertheless, the prescribed location and 'silent' interment of insane suicides was a criminal punishment, as it differed from those reserved for those who died a natural death. The same penalties of a silent burial in the inferior locations of the churchyard could be imposed by the lower courts and Courts of Appeal on, for example, people suffering accidental death while drinking or while otherwise sinning, or who had succumbed while in prison for certain minor offences.[78] In general, it must be emphasized that in Sweden, unlike in various other European territories at the time, insanity in no way served as a full defence; instead, mental illness or weakness simply manifested diminished capacity and responsibility, and thus served as a reason for a milder punishment.[79] According to contemporaries, the distinction between those who had died a Christian death and those who had died by their own hand or otherwise in sin was still of the essence.[80]

Allowing interments in the church grounds, albeit in silence, indicates that it was believed that those deemed insane while killing themselves could still be considered members of the Christian community and might yet be saved. Since 1727 it was even permitted for the clergy to officiate at such silent burials, and cast earth upon the remains and read the Lord's Prayer and a short blessing.[81] Certainly, in the official, mainstream view and Church teachings at least the sane suicides were destined for damnation and Hell,[82] but some considered that God could have mercy on those who had been 'insane', or who had had time to repent of their act.[83] Even Luther had, in private, held out the possibility that God could have mercy on some suicides.[84] Petrus Laurbecchius,

professor of theology at the University of Turku, in a dissertation published in 1680 claiming that although suicide was not justified and could not be condoned under any circumstances, the insane could be excused as they had no power over themselves at the time. He considered that they might be saved, i.e. could join the resurrection if they had lived well.[85]

No doubt there existed opposing views on suicide and not everyone considered reprehensible and heinous all types of self-killing, depending on the motive and circumstances. For example, in 1696 Johannes Munster, professor of philosophy at the University of Turku, briefly mentioned this in his dissertation on healthy self-esteem. Considering all suicides wrong, condemnable and against the natural desire for self-preservation and 'self-love' (*filautia*), Munster mentioned the view held by some of his contemporaries that suicides committed because of disgrace, imprisonment, slavery, hunger, old age or such might be justified. Munster himself took the view that this was entirely erroneous.[86]

Nevertheless, suicide breached the norms of dying, and was thus considered a 'wrong' way to die, as demonstrated by the reactions in the two cases from Lappee presented earlier. Not only were people shocked and horrified but they also refused to touch or treat the bodies in the normal ways, like moving the corpses into cold spaces for storage, undressing and washing them, assembling the wake and offering them the other rituals typical in the preparations for funerals and the journey to the hereafter.[87] As elsewhere in Europe, most deaths that violated the standard of pre-death preparations were considered exceptional and 'bad' deaths in early modern Swedish communities. Dying 'well', as a repentant and receiving the last rites of the Church at one's deathbed was considered pivotal. The importance of making one's peace with God and the world and dying in a state of mercy meant that unexpected, sudden deaths were feared. Worst of all was death associated with sin.[88] This was certainly the case for suicide, which in itself was taught to be a terrible, sinful way to die,[89] and blatantly breached the norms and ideals associated with a 'good' death.

Reactions and Encounters in the Community Level: Fears and Superstitions

As in the two cases from the eastern part of the Swedish Kingdom presented at the beginning of this chapter, the extant documentation of suspicious deaths suggests that involving officials was a common route in order to resolve what to do with the body of a suicide. Obviously, especially violent deaths immediately aroused suspicion of a crime requiring an official investigation. But as we have seen, even if such foul play was not deemed possible, the legislation obligated people to contact the local officials in cases involving suspicion of suicide. Nevertheless, the official nature of the available documents on such discoveries has no doubt resulted in an underrepresentation of cases in which neither the Crown officials nor the Church was contacted and in which the matter was dealt with in private.

Yet the two cases from the relatively peripheral parts of the Swedish realm show that exceptional events like suicides attracted attention and were not necessarily kept a private matter. It was not unusual that as soon as a corpse was found, information and rumours spread around the community and reached the ears of the local clergy and Crown officials.[90] Clearly many things happened before and outside the court sessions later organized to investigate the death. Fortunately, some scribes recording the court sessions also included additional information on these events, for example about the flow of information, treatment and storage of the corpse, and the reactions that the event had produced before the hearing. The records of behaviour and the spread of the news prior to the court session show that a suicide was often a sensational event in the local community.

As the two cases investigated in 1680 also show, corpses of suspected suicides were usually avoided and left untouched. Leaving the cadaver hanging, lying or floating at the scene of death was an established practice during the seventeenth and early eighteenth centuries.[91] This practice is particularly interesting as touching or moving the remains was not regulated, at least in the written legislation. Those who hanged themselves were almost without exception left untouched to await the investigation and sentence, at least if there had been no attempt to rescue the victim because he or she had shown signs of life when discovered.[92] According to the records, those who drowned or were found in water were usually left on the shore or floating, although in some cases they

were dragged ashore with the help of ropes or other instruments and left there.[93] For example, in 1695 in Åkerbo in central Sweden the corpse of a woman who had drowned herself was left on the river bank, covered with twigs and with a stake driven through her clothes so the current would not wash it away.[94] In 1698 in Säbrå, Västernorrland, a corpse was dragged from the river with hooks, but as soon as the victim was recognized as a woman known as Ella the Thief and suspicions of suicide arose, the corpse was left untouched on the shore.[95]

As one can imagine, the custom of leaving the corpse at the scene could cause considerable practical problems, especially if the suicide had taken place inside someone's home or in another important structure such as a storehouse or barn.[96] In addition, the corpses might lie in places where they were found for long periods. The convening of the lower court, not to mention the verdict returned from the Court of Appeal and the subsequent execution of the sentence, could take weeks or even months during which the corpse would start to smell and decompose in all but the coldest weather and become a health hazard, or even be eaten by animals. For example, in 1683 it emerged that in Northern Ostrobothnia in Liminka the corpse of a maidservant had remained hanging in her sauna for six years due to lost correspondence and negligence.[97] The covering with twigs, branches or clothing of cadavers discovered outside was probably intended to deter wild animals from eating them and perhaps reduce the stench.[98]

A degree of fear was attached to the act of suicide itself, an act which polluted the corpses. Numerous cases around Sweden mention the general abhorrence of a suicide's corpse as well as an unwillingness to handle it, suggesting that for many touching the corpses was a strong taboo. For example, in 1679 in Säbrå a peasant's wife, Marit, had hanged herself in her sauna, and was left there with the door shut for 'no one dared to move her, let alone remove her corpse'.[99] The terror that suicide caused in the community and the aversion to the corpse is aptly described in a case examined in rural Vyborg in eastern Finland in 1670. To her great horror, the bailiff's maid had found a young farmhand lying naked in the sauna and covered in blood, having cut his own throat. Apparently, the suicide had taken place some months before the winter court session and the bailiff complained that the untouched corpse had produced 'repugnance, great hindrance and fright', and wanted it removed as soon as possible.[100]

These reactions should not come as a surprise. The reaction to suicides, and the treatment of the cases in general, clearly indicate that many considered suicide a terrible act and wanted to avoid any association with it. The sinful act itself polluted the corpse and people avoided physical contact with it for fear of contagion. In light of what is known about the main elements of premodern popular religion and superstition,[101] it was believed that touching the corpse involved a danger of transmission of characteristics and evil powers. As mentioned, in the views of the elite and authorities' teachings self-killing was directly linked to sin and thus to evil, and often associated with supernatural and demonic forces. Popular beliefs were plausibly similar.[102] Moreover, the later recorded folklore suggests that any corpse and any object that had been in contact with it possessed a dangerous force (Finnish *kalma*) that could infect people nearby and especially those who came into physical contact with it. This force could transmit death, illness, emotions and evil powers to others nearby.[103] Such beliefs are manifest, for example, in a case from 1713, in which a woman found with self-inflicted injuries in the woods refused to be helped and to come home, fearing that the farm would become tainted with misfortune should she return there.[104]

Thus the numerous references to reluctance and anxiety about contact with suicides' corpses can be interpreted as signs of fear of a 'curse' or pollution and contagion from the act itself, the supernatural forces or the personal features and conditions of the person who had committed suicide. The ritualistic disposal practices and transportation of the suicides' corpses in various other early modern European regions suggest that similar ideas of the 'polluting' effect of the corpses existed elsewhere.[105]

Furthermore, it is likely that the cadavers were avoided for fear of haunting by those who had undergone such a 'bad' death. Luther's ideas on death as mere sleep while the souls awaited the Last Judgement in an undetermined location[106] surely left room for belief in haunting. In the later folklore of the Swedish- and Finnish-speaking areas those who had died by their own hand or otherwise suffered a sudden or violent death were believed not to be at rest until their divinely ordained moment of death arrived, or even until the day of judgement. Their souls were unsettled as they had not received the appropriate last rites and funerary rituals. In these tales, suicides usually appear to others near the location of their death.[107] The corpse itself not only emitted the aforementioned menacing forces but also still housed some form of spirit, consciousness or 'self' of the deceased, at least for some time after death.[108]

There is certainly evidence that belief in haunting by suicides existed in many other regions of early modern Europe,[109] and given the cultural interaction of the era such ideas must have been familiar at the very least in Sweden. For example, a popular broadsheet, translated from German and published in several prints during the seventeenth century in Sweden, described the suicide of a German student who swore to haunt the woman who had broken his heart. The song was both bitter and mournful, and sung in the first person by the student to the object of his desire, promising to give her no rest from dawn till dusk.[110] In addition, some of the practices in use in seventeenth-century Sweden resemble later recorded rituals specifically intended to prevent haunting by suicides. Probably, as later, disposing of the corpse far from the settlements was at least partially intended to prevent the corpse or ghost from finding its way back home. As mentioned, the law on suicide stipulated transportation (and burning) of the corpses of sane suicides in the woods. Whether burnt or interred, remote locations like marshes and places of execution were chosen to carry out the punishments.[111]

Moreover, in his book published in 1651 Claudius Kloot, a prominent legal scholar, mentions that if the suicide of a sane person had taken place at someone's home it was customary to remove the corpse under the threshold[112] before enforcing the punishment. The same ritual of removing the suicide's body through a hole dug underneath the threshold was practised in many German-speaking areas, again interpreted as an attempt to prevent the ghost from returning home.[113] However, despite Kloot's claims, there is no mention of this practice in court records or other documents. Nor do the records describing suicides mention anything about interments taking place at night or ritual cleansing of the thresholds of suicides' houses with gunpowder, an anti-haunting ritual that appears in tales recorded in nineteenth-century Sweden.[114]

There are, however, a few references to a ritual that was used in contemporary England specifically to thwart haunting. In at least two widely separated localities in Sweden, it was customary to impale the corpses of sane suicides before interring them in the wetlands or marsh. The Town Court of Vadstena in southern Sweden mentioned in passing in 1604 that suicides were usually speared through by the executioner on being interred in the wetlands.[115] Similarly, in Hedemora in Kopparberg in 1692 the lower court referred to a custom of the executioner piercing the suicide's cadaver with a pole before or while it was buried in the marsh.[116] It is difficult to conceive of any other purpose for this practice

than the prevention of haunting; possibly such impalement or spearing through was thought to destroy the force or spirit the cadaver still contained, or at the very least pin the suicide's corpse down, symbolically precluding the person from leaving the site to disturb the living. The rarity of mentions about this practice or other rituals to avert haunting certainly does not mean that they were rarely used—such superstitious practices were in no way decisive for the officials compiling the documents for judicial purposes, and some of these practices presumably took place only after the investigation into the death was completed, thus leaving no sources.

Alongside these cultural 'taboos' related to superstitions, which explain the initial reactions to suicides and the aversion to contact with their bodies, the avoidance of touching and moving the corpses of victims of sudden or violent death was also connected to an unofficial norm that prohibited tampering with evidence for reasons related to the judicial investigation. However, the legislation did not mention anything about the matter, at least before the ordinance passed in 1698 that ambiguously criminalized 'all participation' in serious crimes. As mentioned, the first known case and guideline applying this to tampering with suicides dates back to 1710, but it clearly dealt with attempting to conceal the suicide entirely from the officials.[117] The Code of 1734 was the first piece of legislation to unequivocally mention the issue, specifically allowing anyone to pick up the corpse of a suicide and store it until the verdict.[118]

The judicial documents gathered for this book mention no legal punishments for those touching or moving the corpses, at least if they did not defy the authorities and arbitrarily bury them.[119] This contrasts with the situation, for example, in parts of France, Flanders, Burgundy and the Austrian archduchies, where it was officially forbidden and punishable to touch, move or carry away the corpse or tamper with the site of death before a judicial crime scene investigation.[120]

Regardless of the lack of written legislation and information on the punishment of those tampering with suicides' bodies, there is indirect evidence that it was nonetheless considered a transgression to do so without legal authorization and that the possibility for judicial officials to apply punitive measures existed. A Svea Court of Appeal precedent passed in 1695 stated that any person who cut down the corpse of one who had hanged him- or herself could remain free of punishment if a burial in the churchyard (i.e. at the time the punishment for

insane suicides) was appropriate,[121] and another passed the same year concluded that those who cut down a hanged suicide who was still alive should remain free from punishment and blame. In other words, it was permissible to intervene and try to save the person.[122] By implication, of course, these decisions suggest that cutting down a hanged person could be regarded as a transgression. The law commission at the time preparing a new law code considered it problematic that people cut down such corpses before a proper trial[123] and included in the draft in 1696 that those who did so in haste in order to save the person's life should not be held responsible for it—again suggesting that others might be.[124] Furthermore, it must be pointed out that although 'cutting down' or 'taking down' is the phrase common in various discussions on suicides as hanging was regarded as the default suicide method, this referred to tampering and moving all suicides.

The second indication that tampering with suspected suicides' corpses was punishable (before the Code of 1734) is that at times people who had intervened and tampered with a corpse, or even interred it without authorization, were summoned and reprimanded by the lower court,[125] while on occasion further advice and appropriate punishments for them were sought from the Court of Appeal,[126] apparently for obstructing the course of justice. Moreover, some people who had done this during the discovery or before the court investigation showed concern in the trials that they might have done something illegal. They explained their actions in a very apologetic manner, pleading their simple-mindedness, ignorance or youth, or claiming that they were attempting to rescue the person.[127] For example, in 1697 two boys from Tuna who had found the local tailor drowned in the river and had picked up his corpse and transported it home on a sleigh pleaded that 'had they been guilty of some offence they should be pardoned, for they had acted with good intentions and had not, in their simple-mindedness and haste, known what they were supposed to do in the face of such a serious event'.[128] This all goes to show that fear of punishment provided another cause for avoiding the body of a suspected suicide.

Another reason not to tamper with the scene or the corpse was because there was always the chance of being accused of murder or being otherwise implicated. This was especially the case with suicides committed by gun, blade or poison, which usually led the court to thoroughly investigate the possible involvement of others.

An official warrant made it legally permissible to move the corpse. The requirement for a warrant given by the lower court or an office-holder is mentioned in passing in various cases.[129] On occasion, the judge or some other high-level official might grant a warrant to move and store the corpse at another location before the enforcement of the final sentence.[130] For example, in Turku in 1666, after the discovery of Sigfredh Thomasson drowned in the river, two townsmen went to ask the Turku Court of Appeal whether they could move the corpse, and were permitted to do so and store it in a coffin.[131] The law commission's reply to the question from Turku Court of Appeal in 1699 about the cutting down of hanged suicides also mentions the necessity of a warrant: only those who had been appointed by a lower court were allowed to cut down the corpse and lay it in a specially allocated place to await sentence.[132]

For all the worries over the possible implications or accusations of participation in felonies, or punishments for obstructing the criminal investigation, the reluctance to touch the suicide's corpse and the often outright avoidance, disgust and contempt towards it need some additional explanation. After all, suspicion of involvement could be avoided by informing neighbours and officials of the event and allowing them to see the corpse before it was moved and stored to await the lower court sessions, the sentence and its execution. Even after an official inspection of the corpse, if indeed one took place,[133] and also after the lower court sentence, at least in the case of those suicides who were deemed sane and were thus to be handled by the public executioner, the corpses were typically left untouched until after final sentence was passed by the respective Court of Appeal. This is evident, for example, in the phrasing of various Court of Appeal letters and documents and the sporadically preserved notes on the enforcement of the punishments that speak of the executioner cutting down, picking up and taking out the corpses.

Yet another reason why it was considered 'wrong' and potentially punishable to move and tamper with the corpses was that the removal, picking up or cutting down of a sane suicide, as well as the transportation of the corpse and its subsequent disposal, was a part of the criminal punishment. Since self-killing was considered sinful and unlawful, suicides' corpses could not be treated in the normal way at any step of the process. Instead, as elsewhere in early modern Europe,[134] most—if not all—stages of the punishment process from the removal of the corpse until its desecration, symbolic and even ceremonial disposal were

integral, ritualized parts of the punishment reserved in law for sane suicides. It appears that it was generally accepted by both officials and the populace that the treatment and removal of sane suicides' bodies were shameful tasks which only the executioner and his assistants should carry out.

In early modern Sweden and Europe in general, the executioner was shunned, an infamous person who was frequently recruited from among convicted criminals.[135] Besides executions, he and his assistants carried out most corporal punishments, such as floggings and maimings, in addition to other practical tasks that were considered unclean and shameful.[136] Obviously, by the rules of contagion not only the executioner himself was contaminated but also everything he touched, so this in itself added an important, additional punitive element to capital and corporal punishments for crimes, including those for sane suicides. Although little is known of what took place before the disposal of suicide corpses, for example the method of transportation into the woods, the already mentioned source from 1651 remarks that the custom was to drag the corpses of sane suicides roughly to an infamous spot where they would be burnt.[137]

A 1698 case from Ludvika, Kopparberg, provides a representative example of the attitudes to executioners and their helpers and beliefs regarding the contagion described above. Two local minor officials, one of the lay jurors and a quarterman who were supervising the enforcement of the sentence, had borrowed another peasant's horse that the executioner rode while transporting a sane suicide's corpse into the woods. However, the owner did not want the horse back after this and the two officials hoped that he would be ordered to take it.[138] Like other objects the executioner touched, but perhaps more so due to possible contact with the suicide's corpse, the horse was contaminated with disgrace and impurity.

Degrading treatment of the suicide's corpse was an essential part of the punishment in Sweden as elsewhere,[139] as the custom of leaving the corpses of the sane untouched and solely in the hands of the executioner suggests. Following and respecting the punishment ritual was pivotal for it was strongly promulgated by the Crown and the Church that all sins and violations of God's laws incurred God's wrath and risked vengeance that might manifest itself, especially if unpunished, as storms, famines, frosts, wars, pestilences or other disasters.[140] All sins and crimes required repentance, atonement and punishment to appease the wrath of God.

Therefore informal social control, keeping an eye on others in case of misdemeanours, was crucial.[141] As a grave sin that violated the authority of God over life and death, the condemnation and distinct punishment of suicide was vital.

For example, in some German-speaking lands fear of divine retribution for unpunished suicides even led to suicide or graveyard revolts, the local populace protesting over interments of suicides in the cemetery, reporting misconduct to the authorities and even exhuming corpses.[142] A few incidents from seventeenth-century Sweden also suggest that some communities had embraced the idea of the necessity of punishments and burial prohibitions for suicides. In 1634 villagers harassed and defamed a bereaved family who buried an insane suicide in the churchyard.[143] In 1663 local people demanded the executioner's treatment for a suicide whom a renowned vicar had buried in the cemetery; the parishioners blamed him for desecrating the churchyard, while the executioner accused him of interfering with his work. The incident became a scandal and the vicar was dismissed because of his conduct.[144] Similarly, in southern Sweden the parishioners insisted that a suicide's corpse should be dug up from the cemetery in 1666.[145] Some kind of possible opposition was also mentioned in 1676 in connection with an insane suicide, whom the Cathedral Chapter of Uppsala permitted to be buried on the northern side of the churchyard without ceremonies 'if it was possible without raising ire'.[146]

It must be pointed out that suicides' corpses were not the only ones shunned; other human remains associated with evil powers and awaiting post-mortem criminal punishments were similarly avoided. Take, for example, Börta Crämars, a known witch, who had died of natural causes in the late 1660s in western Sweden. Although giving rise to complaints, great inconvenience and stench, her corpse lay on the beach where she had died, awaiting the Court of Appeal's decision and the executioner's treatment, i.e. burning the remains on a pyre.[147]

The ideas of shame as a part of the punishment and as a contagious feature explain why corpses of sane suicides in particular were left untouched, and tampering them without a warrant was regarded as more serious than moving the corpses of (suspected) suicides who had been insane. The custom was that the executioner administered the punishment for a sane suicide, which was regarded as a graver offence than suicide by an insane person. For example, the need for an executioner or other suitable person is mentioned in the aforementioned case of the

suicide of Lars Karialain from Vyborg in 1670; there was no executioner available, but the bailiff had succeeded in finding another person familiar with the task, the lower court gave permission to move the corpse from the sauna.[148] Near Stockholm in Bromma in 1663, a farmhand refused to obey his master's orders to cut down a hanged maidservant, as that was 'the task of the executioner, not his'.[149]

Although the vast majority of suspected suicides whose cases ended up in court were left untouched, there appears to have been some degree of selectivity regarding whose corpses could be touched and moved after discovery before the trial or before the final sentence. It appears that it was considered as less reprehensible or punishable to tamper with those whom the community had already deemed insane. For example, in 1679 the lower court of Järvsjö allowed the family and friends of Joen Anunsson to choose whether to cut down the corpse or call for an executioner because the court could not determine whether the deceased had been of sound mind.[150] Precedents from 1695 confirmed this practice, allowing the kin to 'cut down' suicides eligible for a burial, i.e. at the time the insane and minors.[151]

Transgressions and Emotional Responses

In spite of this general aversion towards corpses of suicides described above, these opinions and norms were not universal. As, for example, studies on suicide in medieval and early modern England have shown, the response to and treatment of suicides was characterized by selectivity.[152] Although the vast majority of cases attest to the prevalence of the view on the heinousness of suicide, the response to the sudden death of a family member or friend could be more complex and ambivalent. Initial reactions might also be compassionate; for example, people did at times touch and treat suspected suicide corpses as they would any other corpse,[153] and spontaneous attempts to save the life of a suicide were made.[154]

Clearly some were negligent or unaware of the norms and the secular laws, or did not necessarily share the generally held beliefs—there are likely to have been not only individual, but also temporal and cultural differences in the large Swedish realm. Although the numbers are small, these departures from the norm appear to have been slightly more common in the easternmost areas, where the surviving material suggests

that the corpses of suicides were indeed touched, moved and even illicitly buried more often than elsewhere.[155]

To give an example, in the autumn of 1664—again in the district of Lappee but 16 years earlier than the cases presented at the beginning of this chapter—a hat had been found on the shore of a small forest lake. The local people deduced that the hat belonged to a missing customs guard, Erich Simonsson, who had gone out of his mind and had run raving mad and screaming into the woods several days before disappearing completely. The following spring, in 1665, the body was found in the same lake, and the finder and his neighbour transported it to a place nearby. When Erich's wife arrived a few days later, they built a coffin and tried to undress Erich's corpse. However, since the body had already started to decompose and smell it was laid in the coffin in the same clothes. Together the wife and two other men carried the coffin to the woods and buried it there. The participants did not, as far as we can tell from the court records, show any sign of fear, avoidance or abhorrence, and did not even take the matter to the clergy. The lower court later decreed that Erich's corpse should be left buried outside the churchyard. Neither the men who moved the body nor the wife was punished, probably because their premature actions had corresponded with the court verdict.[156] Such cases from Karelia and Kexholm suggest that some did not consider suicide so abominable that touching the corpse was taboo. Also, many arbitrary, private interments of suicides in the wilderness took place in the east.[157]

It is possible that these incidents resulted from lack of knowledge, or even indifference to, of the Swedish law on suicide; Kexholm and large parts of northern Karelia had passed from the jurisdiction of the Russian Muscovy and Orthodox Church to that of Sweden and the Lutheran Church only in 1617, after being ceded to Sweden in the Treaty of Stolbow.[158] Although the town of Vyborg and the surrounding area had long been an important part of the Swedish Kingdom because of their economic and strategic importance, there is no doubt that the eastern Orthodox customs of neighbouring Muscovy had a lasting influence in the frontier zone.[159] Suicide was not a criminal offence in the Novgorod Republic or Muscovy, and although the eastern Orthodox Church denied burial or religious rites, the corpses were left in the hands of the populace.[160] Thus the idea that suicides should be referred to the authorities had probably not taken root in some of the easternmost parts of Sweden in the seventeenth century.

In neighbouring Muscovy, there were local customs for dealing with suicides and others who had died an unnatural death. It has been assumed that the traditional practice was to throw their bodies into the wilderness in places such as swamps, while some texts refer to burials in pits, fields or forests.[161] Incidentally, the private interments mentioned in the eastern parts of the Swedish Kingdom also took place in the swamps and forests.[162] Although it has been shown that Kexholm Province was for the most part integrated and acculturated into Sweden, at least by the late seventeenth century,[163] cultural practices, particularly those of a ritual nature, are often quite enduring and probably persisted. For example, every former eastern Orthodox village had in its vicinity a village cemetery that had been in use for centuries, and some around Kexholm were still in use throughout this period.[164] The familiarity of the village cemeteries and the proximity of the dead and the living probably influenced practices related to the disposal of dead bodies.

Some scholars have speculated that, as people in the Karelian regions usually lived in hamlet communities of extended households of the same kin,[165] common interests led to handling crimes and disputes 'in private' within the local community rather than in public by involving regional authorities.[166] This could easily apply to dealing with suicides. Nevertheless, the choice to move and even bury suicides in the eastern-most areas without contacting officials probably had more to do with practicalities: distances were great and jurisdictional districts large, while the roads crossed difficult terrain and were often in poor condition and other means of transportation could be challenging, depending on the season and weather conditions.[167] As a result local disposal, or at least temporary burial, of the dead was much more convenient, and was more common than in some of the more central, better-connected and densely populated areas. The only known cases of illicit burials referred to the Turku Court of Appeal in 1669 came from the Province of Vyborg in the east.[168] Thus the reasons for the treatment of suicides in the eastern-most areas were very likely both cultural and practical, but may also have involved specific regional and case-specific variation.

Nonetheless, infringements against the taboo on touching or moving suicide corpses and the denial of burial rites were in no way limited to the eastern peripheries. For example, in 1687, in the busy town of Hedemora in the heart of Sweden, the corpse of a burgher, Anders Andersson Rusbonius, who appeared to have slashed his wrists, was treated in the same manner as were the corpses of those who had died of

natural causes: he was undressed, washed and laid in a coffin, despite the fact that suicide seemed the most probable explanation for his demise.[169] Moreover, the officials at times uncovered concealments, with relatives or other associates covering up and burying suicides secretly without taking the matter to the secular authorities, or even ignoring the passed verdict.[170] The problem of concealing suicides will be further discussed in Chapter 3.

More than distinct regional or temporal differences, the treatment of a body depended on the social ties and status of the person who had died suspiciously. Local and individual variations in religiosity and superstition must also have played a role. For example, even the three cases presented from the district of Lappee show that the reactions varied case by case—Erich, the customs guard, was moved, touched, laid in a coffin and buried, whereas the same did not apply to Margeta and Brita, presented at the beginning of this chapter, whose deaths were received with anxiety and whose corpses were shunned. With little knowledge of the people's social and emotional ties, not to mention the complexity of their social status within their various communities or of local religiosity, it is difficult to identify any single factor that determined the reception, initial reactions and pretrial treatment of the corpse. Rather, it had to do with a combination of circumstances, including the personality and reputation of the suspected suicide and friendship or kin ties between the deceased and those who discovered the body.

Suicides by those who in life had had a bad reputation in their communities, whether because of past criminality, 'godless' ways of life or quarrelsome relations, were almost without exception left untouched, whereas the relatively few in the material who were tampered with were typically respected and well-liked community members. A common factor in cases when unauthorized people touched and moved the corpses is that all such suspected suicides had long roots and kin and family in the locality—and usually it was family members who discovered and tampered with the corpses. Feelings of affection might overcome the possible superstitions and taboos related to touching the corpses.[171] On the other hand, such violations of the norm do not necessarily testify to outright disagreement with the taboo, but may rather simply represent an attempt to avoid the exposure to shame. The bereaved certainly had an interest in concealing the suicide of a relative to avoid public trial and punishment and to protect their family name and honour.

As the various cases described above show, some of the lower court records include vivid descriptions of the fear and anxiety of the discoverers. They also mention other emotions, especially among the deceased person's family and friends before and during the trial. Unsurprisingly, the most explicitly described reactions of the discoverers and bereaved are manifestations of shock and grief. For example, in 1689, a crofter, Lars, found his wife Margreta hanging in the barn—the discovery shocked him so badly that he immediately ran to his neighbour and begged him to come and see what had happened. Together the men informed their landlord (*arrendator*) of the event, who later stated that Lars 'had looked very grief-stricken and ashen-faced' and that his neighbour had had to speak for him as he had been unable to talk.[172]

Similarly, in 1664, after Anders Mattson had found his wife hanging in their bedroom, the neighbours described how he had cried and moaned with sorrow and torn out his hair, and could not be calmed down.[173] In 1689, a peasant named Daniel Mattson was not even able to appear at the extraordinary court session convened to investigate his wife's suicide. After 40 years of marriage, her sudden demise had caused him such sorrow that his neighbours were worried he would go out of his mind.[174] In some cases, it was even feared that the suicide of a loved one had caused such grief that the bereaved might also commit suicide. For example, in 1695, Erich Nilsson's widow was so heartbroken that the villagers had to keep watch over her.[175] The brief descriptions of shedding tears, moaning and lamenting show that, like today, the bereaved and the deceased's friends often reacted to suicides with expressions of shock and loss.

Of course, there is no way of knowing how genuine these displays of emotion were, or whether they were simply invoked and intended to either allay suspicion of murder and complicity or in an attempt to evoke compassion and receive a more lenient punishment or even acquittal. It is also difficult to know the aims of the scribes who at times chose to include evidence of grief, and even emphasize the distress of the bereaved and the community in the protocols: either the descriptions of shock, fright and sorrow had investigatory value or the scribe wished to evoke compassion among the Court of Appeal lawyers reading the texts and deciding on the final verdicts. As is well known, descriptions and certain expressions of emotions are socially constructed and culture-bound, and as some emotional standards have changed considerably throughout the course of history, it is crucial to understand the cultural context and

rhetorical conventions of the era.[176] As terror and condemnation were expected of people encountering self-killing in a culture that officially condemned suicides, it is no wonder that the court records and other documents included such expressions in the descriptions of the reactions of the discoverers, the bereaved and others. Also, some expressions may have been no more than rhetorical convention; for example, the bereaved pleading before the court 'with tears in their eyes' for a lenient sentence is a common phrase in many judicial documents and supplications of the era.

One particular group where sudden death including suspicion of suicide was almost invariably received with great lamentation were minors.[177] To give an example, the parents' emotional turmoil is almost tangible in a case investigated in Kexholm Province in 1689. As soon as the father had heard that his 10-year-old son Peter had been found after hanging himself he ran in panic to the scene, cut the corpse down and desperately tried to revive his dead son. Having given up, he immediately built a coffin and put the corpse in it. The parents pleaded with the vicar to bury their son in the churchyard, but as he refused, following the orders of the new Church Law of 1686, they interred Peter in their meadows. Interestingly, the district judge, whom the local landlord had informed and from whom he had asked instructions, had given permission for this temporary burial; the judge had decided that as Peter had already been cut down and put in a coffin, the corpse would be best stored in the ground before the investigation. All this had taken place over ten months prior to the convening of the lower court. There his parents, 'shedding tears and on their knees, pleaded for a burial inside the churchyard, for their son had been a beautiful boy who could read well and diligently went to church'. Nevertheless, the lower court followed the letter of the law and could not allow a burial in church grounds, sentencing Peter as an insane suicide to be laid to rest outside the churchyard.[178]

The initial reactions in this case, as well as in many of the previously mentioned cases that include tampering with the corpse or great displays of grief, may be interpreted as signs of compassion towards the suicide. As shown in the following chapters, some of the suicide cases were treated and discussed very empathetically in the trials, and even sentenced or acquitted 'unlawfully' despite strong evidence of suicide, or sanity. This suggests that there was commiseration and sympathy with

the bereaved and some understanding of the difficult situations of people who committed suicide.

Arne Jarrick has found popular Swedish broadsheets translated and published from the late seventeenth century on, which show clear signs of empathy with, compassion for and even romanticization of suicide.[179] For example, the aforementioned broadsheet about the heartbroken student's suicide portrays his deed, even though reprehensible, as understandable. The text sympathizes with his predicament and even lays blame on the woman who betrayed him.[180] Contemporaries viewed certain situations and living conditions as rendering suicide less inexplicable and thus less deserving of condemnation, which might affect reactions to it both before and during the trial.

If we can judge by later studies on bereavement through suicide,[181] for the family and kin suicide could be a tragedy accompanied by feelings of guilt, blame, shame and abandonment. It seems plausible that, as the family and household were responsible for keeping an eye on members who showed signs of distress,[182] the community held the bereaved partly responsible. Moreover, as the usual mourning rituals and consolation involved in funerals were denied, the grieving process was disturbed, and perhaps not socially validated.[183] The deviant, public and disreputable ways in which the bodies were disposed of brought about shame, conceivably even some degree of stigma, on the kin. However, the judicial documents unfortunately reveal little of such matters, and when the feelings of the discoverers or the bereaved are described at all, the standard terminology of shock, fright and grief is employed.

Nevertheless, suicide did not always come as a shock or a surprise, nor was it necessarily an unwelcome event or calamity for the discoverers and the bereaved. Some of the suicides had made previous attempts and had talked about killing themselves, which made the discovery less unexpected. It is also plausible that suicides by people who had been considered a nuisance within their household or other communities, for example those who had been violent or otherwise disruptive, or committed crimes, could be received as a relief or release.[184] Some had no caring kin or friends and were described as living a life of domestic abuse, or even marginalization. It is noteworthy that there are no references to grief or woe related to those suicides who were considered 'difficult' people and social outcasts, for example due to their violent behaviour, criminality or alcoholism.

Thus, although self-killing was considered a major taboo, as clearly shown in the writings of the authorities and elites and in mainstream popular thinking and reactions, this variation in the local responses, from abhorrence and aversion to concealment and secret interments, indicate that attitudes towards suicide were not confined to solely negative associations of the act as a fearful sin and a crime. As further discussed in Chapter 5, the context and circumstances and the social status and ties of the deceased influenced the treatment. Still, this variation in the reactions should not be overstated; even if a small number of cases show that some viewed and handled suicides in similar ways to those who had died accidentally or at the hands of others, the evidence suggests that most did not. Additional evidence for the 'suicide taboo' is that many chose to kill someone else or lie about committing capital offences rather than commit the more terrible sin of taking their own lives. After all, the execution process permitted them time to repent and to receive all the other important rites that could ensure them salvation. Studies have shown that throughout the seventeenth and eighteenth centuries murders, infanticides and crimes of bestiality were committed with the intention of bringing about capital punishment.[185] Still, consensus on the heinousness of suicide was not the same as agreement about specific cases and did not result in uniform handling of them.

Notes

1. National Archives of Finland (KA): Collection of renoverade domböcker (RT) Kymenkartano and Lappee KO a 3: 287–90, Lappee 12–14 January 1680; KA: RT Jääski, Lappee, Ranta & Äyräpää (JLRÄ) KO a 17: 235–37, Lappee 30 September and 1–2 October 1680.
2. Partanen (2011a, 134, 163–69; 2011b, 182), Räihä (2011, 192, 194–95).
3. KA: RT Kymenkartano KO a 3: 287–90, Lappee 12–14 January 1680.
4. 'det ömckeliga *Spectacletet*' KA: RT JLRÄ KO a 17: 236, Lappee 30 September and 1–2 October 1680.
5. KA: RT JLRÄ KO a 17: 235–37, Lappee 30 September and 1–2 October 1680.
6. King Christopher's Law of 1442 (*Konung Christoffers Landslag*, henceforth referred to as KRLL 1442), Högmælisbalker/Högmålsbalken (henceforth Felony Section), Cap. 4, in Schlyter 1869, vol. XII, 300–1. Almquist (1946, 142–43), Hemmer (1968, 36–37).

7. Fenger (1985), Minois (1999, 34–36, 134–38), Murray (2000, 18–53, 426–48), Vandekerckhove (2000).
8. Fenger (1985, 61), Murray (2000, 571). 'spilder deres eget liv skal graves ned i fjaeren, hvor soen og gransvaeren modes' (Fenger 1985, 61).
9. Minois (1999, 35), Murray (2000, 37–41). For example, in Augsburg, see Stuart (2008, 416).
10. Minois (1999, 35), Murray (2000, 33). Besides according to the codes in Sweden and Lille, suicides' bodies were to be burnt in various regions around Europe (Murray 2000, 33–34; Vandekerckhove 2000, 57–58).
11. Bosman (2004, 11), Murray (2000, 32–35), Vandekerckhove (2000, 53–57). The prevailing customary law was written down in the Netherlands area since 1510. See Bosman (2004, 11–12).
12. Murray (2000, 36, 51–52). On the other hand, suicides were rarely depicted as ghosts before the Reformation, see Murray (2000, 472f).
13. Butler (2007, 435), Seabourne and Seabourne (2000). See also Groot (2000).
14. Minois (1999, 35), Murray (2000, 18–32), Vandekerckhove (2000, 45–53). For example, in Geneva, see Watt (2001, 82–83) and in Schleswig and Holstein, see Lind (1999, 33–34).
15. On ceremonies, including bell-ringing, prayers, procession, dedication of the grave and oblations, and the conduct of normal Christian burial at the time in Sweden, see Rimpiläinen (1971, 18–54, 58–61).
16. See, for example, Amundsen (1989), Cooper (1989), Minois (1999), Murray (2000), Vandekerckhove (2000).
17. Amundsen (1989), Vandekerckhove (2000, 16–18).
18. Koslofsky (2000, 24), Murray (2000, 182–86, 267–76, 430–33, 445–46), Rimpiläinen (1971, 56–57), Vandekerckhove (2000, 18–22).
19. KRLL 1442; Almquist (1946, 142–43), Hafström (1965, 95–101).
20. Kekkonen et al. (1999, 69–70, 263, 474).
21. Fenger (1985, 61–63, 69–70).
22. Both the section of old Christian law in a law collection *Grágás*, compiled in the eleventh or twelfth century, and another section of the so-called new Christian law, compiled during the thirteenth century denied suicides a burial in the churchyard unless they had in some way repented of their deed before dying. Both gave similar instructions concerning the disposal of suicides' corpses. Though since 1262 a part of Norwegian realm, the written legislation in force in Iceland did not, however, mention that the burial should take place on the coast (Fenger 1985, 61, 63; Kanerva 2015, 60–64).
23. Morrissey (2006, 20, 42–45). The Eastern Orthodox Church had already earlier denied them interment in church grounds as well as rites

and referred to burials in pits, fields or forests (Morrissey 2006, 23–24, 29–30).

24. Murray (2000, 33–34), Vandekerckhove (2000, 53–58). In *Sachsenspiegel*, the medieval compilations of Saxon customary law, see Lind (1999, 31), Schnitzler (2000, 118). Also in Rothenburg and Dinkelsbühl, see Lederer (1998, 352).
25. For example, *Magnus Erikssons Landslag*, in Schlyter vol. 10, 276, 302. In the provincial laws, for example, in Schlyter vol. I, 153 (and 300), vol. II, 85 and vol. IV–V, 36. Punishments for bestiality in the earlier Swedish legislation included either burial alive or cremation with the animal. See Rydström (2003, 33–34).
26. KRLL 1442, Felony Section, Cap. 2, 6, 11, 14 and 15.
27. Murray (2000, 426–29, 448–50, 482).
28. Liliequist (1992, 94–95).
29. Fendin (2009), Karlsson (2009).
30. Murray (2000, 41–51).
31. KRLL 1442, Felony Section, Cap. 2, 6, 11, 14 and 15.
32. Munktell (1940, 5–7), Pajuoja (1995, 19–23). On the history of the criminal liability of the insane in Sweden, see Qvarsell (1993), Sondén (1931).
33. KRLL 1442, Section of involuntary manslaughter, Cap. 15.
34. Munktell (1943, 9f), Jansson (1998, 74, 106). For example, KRLL 1442, sections on involuntary manslaughter, accidentally caused wounds. See also Ericsson (2003, esp. 44–53).
35. 'ath han för swa affwita worden war, ath han engom waada wægia wiste' KRLL 1442, Felony Section, Cap. 4. The terms used in Swedish versions of the law, *affwita* or *utwita*, both mean literally out of one's mind.
36. Lindemann (2007, 162–63), Minois (1999, 134–38), Murray (2000, 445–48), Vandekerckhove (2000, 73–76, 85–86). For example, in Burgundy it became forbidden to punish insane suicides in 1477. Vandekerckhove (2000, 73–74). In medieval England, insane suicides were often punished. Groot (2000) and Seabourne and Seabourne 2000. Cf. selectivity in sentencing suicides in medieval English courts, see Butler (2006a, b, 2007). Yet by Tudor times only sane self-murderers could be judged guilty of felonious suicide. MacDonald and Murphy (1990, 15–16). For the revival of the insanity defence in Europe, especially since the fifteenth century, see Midelfort (1999, 187–92). See also Robinson (1998).
37. 'Arffua tes döda taki gotzet.' KRLL 1442, Felony Section, Cap. 4.
38. Murray (2000, 154–76), Schrage (2000, 57–59), Wacke (1980).
39. Fenger (1985, 61–63, 66–68), Lederer (2006, 249).

40. Houston (2010, 28–188), Lind (1999, 340–47), Luef (2016, 128–40), Murray (2000, 63–83), Vandekerckhove (2000, 95–120). In Denmark, see Fenger (1985, 61–63, 66–68). In England, see Groot (2000), Murray (2000, 67–69, 76–77, 435), Seabourne and Seabourne (2000). Interestingly, in Anjou and Maine the forfeiture of the suicide's property meant its destruction, *le ravage*. See Vandekerckhove (2000, 119–20).
41. In *Sachsenspiegel* both suicides and those who had received the death penalty the next of kin were explicitly stipulated to receive the inheritance: 'sîn nêhste getelinc nimt sîn erbe' (Fenger 1985, 61; Vandekerckhove 2000, 96). Cf. 'Arffua tes döda taki gotzet.' KRLL 1442, Felony Section, Cap. 4.
42. KRLL 1442, Felony Section (on treason, Cap. 8 and 9, on the division of the possessions of those who had killed their master or mistress, Cap. 10). Also, the spirit of the law was that a person who had committed homicide could not profit from his action, i.e. inherit from a relative he/she had killed, but the inheritance would be distributed to other kin. KRLL 1442, Inheritance Section/Ärvdabalken.
43. Murray (2000, 396–425). Cf. Lagus (1861, 100–2).
44. Unlike many later European laws, see Mäkinen (1997, paper 2, 9–18).
45. 'förbud för rövare, mordbrännare och andra illgärningsmän att begravas i kyrkor och kyrkogårdar samt att jordfästas'. Finlands Medeltidsurkunder: 1056. Also Rimpiläinen (1971, 57).
46. Ohlander (1986b, 11), Rimpiläinen (1971, 56–57).
47. The statute in Lagus (1838, 6–7). 'Prohibentes eciam voluntarie seipsos perinantes…'. Also included in the books of Turku cathedral, *Svartbok* [1890], 388.
48. 'Sielffspillingar, thet äro the som icke genom willo, vthan ellies aff berådt modh, sigh förgöra, skola ingalund komma j kyrkiogården. Ty the haffua warit förtwifladhe.' *Kyrkoordning 1571* (in *Laurentius Petris Kyrkoordning av år 1571*, 1932, 136).
49. *Nova Ordinantia Ecclesiastica 1575*, 1872, 252–54.
50. Varying guidelines and practices in different dioceses, see Hall (1928, 75), Murray (1949, 184–85), Rimpiläinen (1971, 255–77). Also, based on cases sentenced in the chapter of Uppsala (Provincial Archives of Uppsala (ULA): Uppsala Domkapitelts arkiv I (UDA) A I: 2, 14 June 1638; A I: 3, 4 June 1644; A I: 5, 1 March 1665). For more cases, see Chapter 3.
51. 'Öfwer sielfspillingar ransakes och dömes i lika måttö wid werldzlig Rätt.' *Kyrkolag 1686*, Cap. XVIII. § XII in Schmedeman (1706, 1036). In fact, already clarified in an ordinance passed in 1684: Resol. för Werldzl. Rätt och Consist. 5 May 1684 in Schmedeman (1706, 864).

52. Kongl. brev dated 28 January 1720 in Abrahamsson (1726, 726). Even after that, many suicide cases were referred to the Courts of Appeal. ULA: Kortregister över Svea hovrätts brev till länsstyrelsernna (KSHB): cases mentioned well into the 1730s in the sentence letters sent by the Svea Court of Appeal.
53. Almquist (1942, 10), Munktell (1943, 29–30).
54. Blomstedt (1973, 140–41), Pihlajamäki (1996, 73–74, 120–29), Tamm et al. (2000, 150–53, 156), Thunander (1993, 93, 97, 104, 109, 165–66, 173, 223–27). For the significant role of Svea Court of Appeal in creating precedents and developing legal praxis, see Korpiola (2014), Trolle Önnerfors (2014).
55. Svea Court of Appeal resolutions 11 and 18 July and 11 November 1695 in Abrahamsson (1726, 727) and in Schmedeman (1706, 1430).
56. Svea Court of Appeal resolution 2 August 1700 in Abrahamsson (1726, 726–27).
57. Riksarkivet (RA): Riksarkivets ämnesamlingar Juridika I: Becchius Palmcrantz samlingar, Vol. 5, 1–60; Juridika II: Åke Rålambs Samble Book, vol. S, 149–50. In the sentence letters sent by the Svea Court of Appeal to provincial governors, ULA: KSHB. Mentions of forms of punishments departing from the law passed on suicides by the Turku Court of Appeal, for example, burial under the gallows, in the northern side of the churchyard in silence: KA: RT Turku Ro z: 24, 225, 5 October 1655 and Turku RO z: 25, 97–98, Turku 15 and 16 April 1656; RA: Justitierevisionen, Åbo hovrätts arbetsberättelser 1665–1667, 1669: n.p. Turku 24 September 1666, Raisio/Norickala 23 April 1667. Various penalties in use by the Göta Court of Appeal, see Thunander (1993, 76–77).
58. Svea Court of Appeal resolution 27 August 1695 in Abrahamsson (1726, 727). The original resolution: RA: Svea Hovrätts arkiv (SHA) B III b 1: 2, 260–61, Kriminella resolutioner (Åkerbo) 27 August 1695.
59. Förordningen af den 29. Julii 1698, presented in Abrahamsson (1726, 727), Lagus (1861, 96).
60. Royal Council letter to Svea Court of Appeal 16 June 1710 in Abrahamsson (1726, 727).
61. Svea Court of Appeal resolutions 7 September 1695, 24 March 1696, 9 May 1696 and 23 March 1704 in Abrahamsson (1726, 728), Luef (2016, 207–10). One sentence had already been passed in 1693: ULA: KSHB Gävleborgs län (G), Delsbo 27 January 1693. Also in the Admiral Court: a sailor's suicide attempt punished with running the gauntlet five times. RA: Genaralauditörens arkiv, 22 December 1704. Early sentenced suicide attempts incl. RA: SHA G 45a: 41–3v, Tuna 25 June–1 July 1695; ULA: Kopparbergs länsstyrelsens arkiv (KLA) D II:

19, Norrbärke 31 March 1696; RA: SHA G 46b: 1149v–52, Ockelbo 4–8 April 1696.

62. Code of 1734, Felony Section/Missgärningsbalken, Cap. XIII, § 1–5. Those having died in suspicious circumstances and who had led ungodly lives were to be buried under the churchyard wall. Silent burials were to be carried out without the presence of clergy and without ceremonies until 1727 when a new ordinance allowed the priest to cast earth upon the remains and read the Lord's Prayer and a short blessing. On the ordinances on how to conduct silent burials, see Pleijel (1983, 15–17).
63. Cringelius (1604, 43v–44), Laurbecchius (1680, A6v–B); Laurelius (1662), G i(v)–G v(v), also the entire Cap. V; *Biskop Olof Laurelii kyrko-ordningsförslag ca.* 1650/1881, 269; *Kyrkoordning 1571* (136); *Förslag till Kyrko-ordning c. 1618–1619/*1872, 500; *Emporagrius' förslag 1659/*1887, 175; *Lagkommissionens protokoll 1694–1711*, 25 October 1695 in Sjögren 1901 (vol. II), 42; Draft of the felony section issued in 1696, Cap. 19, §.1 in Sjögren (1902) (vol. IV), 393. Also, Danish Lutheran theologian Hemmingsen (1608), n.p., esp. spreads 16 to 19. Cf. moral philosophical arguments against suicide in the Middle Ages, see Mäkinen (2014), Murray (2000, 189–395).
64. Lederer (1998, 351), Midelfort (1996, esp. 42), Stuart (2008, 415–16). Luther's views presented also in Fedden (1938, 171–73). On Luther depicting the Devil causing suicides, see Luther/*D. Martini Lutheri Catechismus 1667* [1529], 204–5.
65. Färnström (1935, 202).
66. Translated by the author. RA: SHA Uppsala län (U) 48a: 438v, Ulleråkers 17 May 1688.
67. Prevalent praxis, 'unless they had killed themselves without evil intent and rather in furor or melancholia' (Kloot 1651, 80).
68. ULA: KSHB. Also noticeable in the two preserved compendia of cases sentenced in the Svea Court of Appeal: RA: Riksarkivets ämnesamlingar: Juridika I & II.
69. *Lagförslag af 1643*, 164.
70. Based on KSHB and, for example, RA: SHA (Huvudarkivet) B III b 1: 2. Kriminella resolutioner 1695. See also Liliequist (1992, 68–69, 91).
71. For selectivity in treating insane or infirm suicides in medieval English courts, see Butler (2006a, b), McNamara (2014).
72. Kloot (1651, 80), Loccenius (1673 [1648], 675–76), Rålamb (1674, esp. 144–47).
73. 'uppenbart war, at han förr war så rasande och huffwudwill, att han hwarken eldh eller wattn eller annan wådha wäija wiste, eller sådant är skiedt af stor siukdoms swagheet eller Melancholia', '..tå må han i kyrki-ogård jordas'. *Rosengrenska lagförslaget*, 476.

74. '..tå skall han till skogz föras och nidergrafwas, uthan han af Soot eller afwitu thet giorde.' *Lagförslag af 1643*, 164. About the commission of 1643, see Östergren (1902, 27–28).
75. *Lagkommissionens protokoll 1694–1711*, 25 October 1695 and 5 October 1999 in Sjögren 1901 (vol. II), 42 and 148–49.
76. Translated by the author: 'som af harm, onsko, otåligheet, förtwiflan, eller hwariehanda williawärck förgiör sigh sielf'. Draft of the Felony Section issued in 1696, Cap. 19, §.1 in Sjögren (1902) (vol. IV), 393.
77. Based on the Svea Court of Appeal sentence letters: ULA: KSHB. Also noticeable in the two preserved compendium of cases sentenced in Svea Court of Appeal: RA: Riksarkivets ämnesamlingar: Juridika I & II. Also, in Turku Court of Appeal, for example, RA: Justitierevisionen, Åbo hovrätts arbetsberättelser 1665–1667, 1669: n.p. Turku 24 September 1666 and n.p. Raisio/Norickala 23 April 1667. In Göta Court of Appeal, see Thunander (1993, 76–77), Werner (1998, 72–74, 78–80).
78. ULA: UDA A I: 3, 18 December 1645; RA: SHA Västmanland (VM) 32: 235v–7, Torstuna 22–23 November 1687; ULA: Kopparberg läns häradsrättsarkiv (KLHA) IV, A I: 8, 31v–4, Bjursås 7 July 1699 and ULA: KLA D II: 22, Bjursås 22 July 1699; RA: SHA G 54: 512–14, Delsbo, Bjuråker, Norbo 8–13 June 1700; RA: Justitierevisionen, Åbo hovrätts arbetsberättelser 1665–1667, 1669: n.p. 12 May 1665 and ULA: Västmanlands länsstyrelses arkiv, Landskansliet (VMLL) D I: 34, 22 June and 27 July 1698. See also Royal letter 3 August 1698 about the burial of those who died in prison, in Schmedeman (1706, 1518–19). Also for those who had died in a duel, see Royal ordinances concerning duelling, 23 December 1662 and 12 August 1682, in Schmedeman (1706, 326, 767).
79. Munktell (1940, 6–10, 15–23, 30), Pajuoja (1995, 21–28). See, for example, Loccenius (1673 [1648], 675–76).
80. As mentioned in the resolutions of Göta Court of Appeal from the 1690s (Thunander 1993, 77), and in the chapter of Uppsala (ULA: UDA A I: 4, Fröstult 7 January 1654) and in the discussions on the necessity to exclude insane suicides from the same respect and process granted to others by the law commission compiling a new draft in 1699. *Lagkommissionens protokoll 1694–1711*, 5 October 1699 in Sjögren 1901 (vol. II), 149. See also Hall (1928, 71–72).
81. Pleijel (1983, 16–17).
82. Æpinus 1624 [1547], esp. D iii–D iiii(v); Hemmingsen 1608, n.p.; Kloot (1676, 56–57); Laurelius (1662), G i(v)–G v(v), Cap. V.
83. Laurbecchius (1680, B). Views coming across for example in KA: RT Savo KO a 2, 740–6v, Rantasalmi 17 June 1648, RA: SHA U 53b: 556v–61v, Lagunda 20 November 1691, and in the decisions made

by the chapter of Uppsala on burials of suicides (ULA: UDA A I: 3, Långtora 4 June 1644, A I: 4, Fröstult 7 January 1654), and various cases in RA: Riksarkivets ämnesamlingar Juridika I: BP, Vol. 5, for example, 23–25.

84. Kästner (2012, 103–18), Midelfort (1995, esp. 300–1), Stuart (2008, 416). Also, Robert Burton in his massive work on melancholia published in 1621 considered that God could have mercy on the mentally ill (Burton 1621, Part. I, 269–77).
85. Laurbecchius (1680, B). Similar ponderings by the vicar and the curate about the possible salvation of the soul of a hanged man in the suicide trial. RA: SHA G 27a: 430v–6, Järvsjö 6 June 1679.
86. Munster (1696, esp. 20–21). See also Kouvalainen and Rissanen (2012). Many thanks to Anu Lahtinen for pointing me to this text.
87. The common preparations and rites for treating the corpse (based on Swedish and Finnish folklore and tradition and recorded mainly in the nineteenth century), see Hagberg (1937) and Lehikoinen (2011, 107–17).
88. Hall (1928, 71–72), Juva (1955, 56), Krogh (2012, 114). The necessity of penance before death discussed, for example, by Kloot (1676, 41, 60–61), and the importance of dying a timely, holy death, for example in Emporagrius (1669, n.p). See also Miettinen (2017).
89. At least those who read, or to whom Luther's Catechism was read (e.g. Luther/*D. Martini Lutheri Catechismus 1667* [1529], 204–5) or some versions of Luther's Small Catechism, a popular book around the realm, were aware of the wrongfulness and sinfulness of suicide (Odén 1998, 32). On the popularity of the Small Catechism, see Pleijel (1942). Also, there are indications that after a parishioner's suicide the local clergy at times organized public sermons preaching the terrible nature of suicide. For example, ULA: UDA A I: 3, Sinnetuna 18 December 1645 and A I: 4, Fröstult 7 January 1654.
90. RA: SHA U 49a: 292v–95v, Hagunda 22–27 June 1689; KA: RT Ala-Satakunta (AS) II KO a 1a: 440–43v, Eurajoki 17–18 September 1683; RA: SHA U 54b: 1106–14v, Närdinghundra 23 June 1692; ULA: Uppsala länsstyrelsens arkiv, Landskansliet (ULL) D IId: 1, Vässland 8 January 1681; KA: RT JLRÄ KO a 13: 363–72, Vyborg 22 May 1673.
91. Thus the Swedish practice was very different from that, for example, in Bavaria, where the corpse was removed from the location by the executioner or the skinner to temporary storage, often in a barrel, until the investigation could be completed. See Lederer (2006, 250).
92. For example, despite having been cut down in an attempt to save his life, young Jacob Thomasson's corpse was left lying in the drying barn where he had hanged himself. Convening the extraordinary session took

over a month, during which time Jacob's corpse remained untouched in the barn, with the door shut. KA: RT Kexholm KO a 4: 1143–45, Räisälä 9 Dec 1678. The sentence letters sent by the Svea Court of Appeals to the provincial governors, as well as most of the lower court records on suicides committed by hanging, usually mention explicitly, or at the very least indicate in passing, that the corpse was left untouched at the scene of death to await the final verdict returned from the Court of Appeal.

93. For example, KA: RT AS KO a 1a: 440–43v, Eurajoki 17–18 September 1683; ULA: Faluns rådhusrätt och mag. A I a: 14, Falun 25 March 1684; KA: RT Northern Ostrobothnia (NO) KO a 7: 256–59, Kalajoki 12 March 1687; ULA: KLHA IV, A I: 5, 3–4v, Mora 1 June 1688; ULA: KLHA X, A I: 2, 74–76v, Torsång 16 July 1691; ULA: KLHA IV, A I: 6, 35–35v, Bjursås 5 July 1693; RA: SHA G 45a: 80v–82v, Forsa, Idenor, Hög, Rogsta, Illsbo & Tuna n.d. 1695; Sundal 1697 in Zakariasson (1980, 414); ULA: KLHA VII, A I: 2, Hedemora 8 August 1698; ULA: KLHA X, A I: 9, 184–88, Tuna 4 July 1699; RA: SHA Jämtland (J) 3b: 883–86, Offerdal & Rödön 21 July 1700; Sundal 4th September 1707 in Sjödahl and Edestam (1995, 84). Likewise, in early eighteenth-century Skåne. Yet, in drownings where there was no suspicion of suicide the bodies were typically touched, moved and stored (Persson 1998, 152–53).
94. ULA: VMLL D I: 31, Åkerbo 1 August 1695; RA: SHA B III b 1: 2, 257–59v, 1 August 1695.
95. RA: SHA Västernorrland (VN) 15a: 209v–13, Säbrå 17 May 1698.
96. For example, in Ovansjö in 1689 the children of a crofter who had shot himself in his cottage had to live in the sauna. RA: SHA G 36a: 350–56, Ovansjö 4 May 1689. See also KA: RT JLRÄ KO a 6: 54–57, Ruokolahti 13–14 June 1664; KA: RT JLRÄ KO a 11: 8–16, Vyborg 28–29 January 1670; KA: RT Kexholm KO a 4: 357–59, Rautu 31 July 1682; Kinneved 1691 presented in Bergstrand (1976, 20–22). See also Luef (2016, 111–12).
97. KA: RT NO KO a 3: 163–64, Liminka 9–12 February 1683. Also, for example, KA: RT Kexholm KO a 4: 137–37v, Kitee 27–29 August 1683; KA: RT Masku & Vehmaa KO a 3: 172–76, Vehmaa 11 August 1688; RA: SHA U 49a: 292v–95v, Hagunda 22–27 June 1689; RA: SHA U 49b: 919v–22v, Närdinghundra 14 July 1689; ULA: ULL D II: 21, Ludvika 18 May and 27 May 1698; Ås 17 June 1710 in Bergstrand (1976, 23–25).
98. RA: SHA G 27a: 436–41, Järvsjö 21 July 1679; ULA: KLHA X, A I: 2, 74–6v, Torsång 16 July 1691; ULA: VMLL D I: 31, Åkerbo 1 August

1695; Sundal 1697 in Zakariasson (1980, 414); ULA: KLHA IV, A I: 8, 31v–4, Bjursås 7 July 1699.

99. RA: SHA VN 27a: 575v–7, Säbrå 28–29 April 1679. Similarly, no one 'dared to move' the corpse of a drowned suicide from the lake: RA: SHA G 45a: 80v–2v, Forsa, Idenor, Hög, Rogsta, Illsbo och Tuna n.d. 1695. Also, in Sveg in 1696: SHA J 47b: 974v–7, Sveg 27 August 1696.
100. 'denna döde Kroppen ligger honom wederstyggeligen och till ett stort förhinder och förskräkelse i hans gårdh'. KA: RT JLRÄ KO a 11: 8–16, Vyborg 28–29 January 1670.
101. Gennep (1960, 161), Minois (1999, 47), Murray (2000, 532–92), Pentikäinen (1990, 88–95). Medieval beliefs on polluted objects, see Murray (2000, esp. 426–51).
102. Jansson (1998, 63–65; 2004, 92–94), Lederer (1998, 351–53), Nygård (1994, 132–39). Diabolic forces connected to suicides, for example, KA: RT JLRÄ KO a 11: 8–16, Vyborg 28–29 January 1670; RA: SHA Stockholms län 4b: 599–601v, Öregrund 18 June 1686; RA: SHA G 36a: 350–56, Ovansjö 4 May 1689; KA: RT Ylä-Satakunta (YS) KO a 17: 529–31v, Huittinen 27 March 1697; RA: SHA U 61a: 674v–5v, Lagunda 8 April 1697.
103. Koski (2011, passim), Lehikoinen (2011, 80–81, 108–12). A few centuries earlier, Icelandic sagas told of powerful forces within the dead bodies of people who had died in certain states of mind, see Kanerva (2013). The later folktales from Sweden and Finland show that touching the body of a suicide was avoided to prevent the curse from remaining in the household. See Achté et al. (1985, 69), Jansson (2004, 92–94).
104. Nora 18 May 1713, presented in Luef and Miettinen (2012, 108).
105. Vandekerckhove (2000). Similarly, in medieval Europe, see Murray (2000, 426–51).
106. Koslofsky (2000, 34–37), Lehikoinen (2011, 139–40).
107. Achté et al. (1985, 62–70), Achté et al. (1989, 83–88), Jansson (2004, 92, 94), Nygård (1994, 132–37), Pentikäinen (1990, 95, 128–31). For example, in local folklore involving a suicide that took place in 1761, see Núñez (2015, 79–80).
108. Achté et al. (1985, 62–64), Eilola (2009, 34–35).
109. Lederer (2002), MacDonald (1986, 54), MacDonald and Murphy (1990, 46–48).
110. *Een ynckelig wijsa 1685 & 1688*. See also Jarrick (1997, 188).
111. Although sane suicides appear to have been buried typically in the woods, like the law prescribed, the executioners interred some also in places of execution and, for example, in the marsh. Forms of

punishments further discussed in Chapter 5. Nineteenth- and early twentieth-century practices and rituals aimed to prevent haunting by suicides, see Hagberg (1937, 501–5), Jansson (2004, 92, 94), Nygård (1994, 132–37). On other practices related to the prevention of haunting generally used for the deceased, see Achté et al. (1985, 64; 1989, 83–84).

112. 'cadaver moribus nostris sub domus limine extractum' Kloot (1651, 80).
113. Lind (1999, 33–34), Minois (1999, 35), Murray (2000, 23–24, 449).
114. Hagberg (1937, 501–5), Jansson (2004, 92, 94).
115. The case is presented in detail in Sandén (2014, 25–55).
116. ULA: KLA D II: 17, Hedemora 9 November 1692.
117. Förordningen af den 29. Julij 1698: 'Rådzbane eller wållande til en missgerning' in Schmedeman (1706, 1516–17). See also Mäkinen (1997 [paper 2], 9), Persson (1998, 157, 170–71). Kongl. Råd. bref til S. HofR. d. 16. Junii 1710 (Royal Council letter to the Svea Court of Appeal, 16 June 1710) in Abrahamsson (1726, 727).
118. Code of 1734, Felony Section/Missgärningsbalken, Cap. XIII, § 1.
119. There are only a few mentions of any penalties for arbitrary burials, further discussed in Chapter 3. See also Jansson (2004, 90–91), Luef and Miettinen (2012, 112), Ohlander (1986a, 40–41), Thunander (1996, 3–4).
120. Vandekerckhove (2000, 78). In Austria, see Luef and Miettinen (2012, 110). However, for example in Flanders, after the mandatory investigation conducted by judicial officials, the suicide's corpse could be removed and stored elsewhere, for example in a sack, in a prison, wrapped, salinated or embalmed, to await the enforcement of the criminal punishment (Vandekerckhove 2000, 84–85).
121. 'Är han redan död och honom begrafning tillåtes så är ock den saaklös som honom nedskurit.' Svea Court of Appeal resolution 6 May 1695 in Abrahamsson (1726, 727).
122. Svea Court of Appeal resolution 7 September 1695 in Abrahamsson (1726, 727). Similarly, in the Austrian archduchies the only accepted reason to touch the body before an official inspection was in order to save the person's life (Luef and Miettinen 2012, 110).
123. *Lagkommissionens protokoll 1694–1711*, 25 October 1695 in Sjögren 1901 (vol. II), 41–42.
124. Draft of the felony section in 1696, Cap. 19, §.1 in Sjögren 1902 (vol. IV), 393. Comments on the draft in 1695: *Lagkommissionens protokoll 1694–1711*, 25 October 1695 in Sjögren 1901 (vol. II), 41–42.
125. KA: RT Kymenkartano KO a 2: 269v, Elimäki 26–27 September 1670 and 320v–1, Vehkalahti & Valkeala 8–9 January 1672; KA: RT YS KO a 17: 529–31v, Huittinen 27 March 1697. Also, in a 1616 case from

Värend near Växjö, the friends of the suicide had moved and washed the corpse; they were reprimanded by the Court for treating the deceased with the same respect as an ordinary deceased person: presented in Jarrick (2000, 99–100).

126. RA: Justitierevisionen, Åbo hovrätts arbetsberättelser 1665–1667, 1669: n.p. Salo 9 March 1669; KA: RT Kymenkartano KO a 2: 269v, Elimäki 26–27 September 1670; KA: RT Kymenkartano KO a 2: fol. 320v–321, Vehkalahti & Valkeala 8–9 January 1672; RA: SHA B III b 1: 2, 109–11, Grimsten 6 May 1695; Landsarkivet i Härnösand (HLA): Gävleborgs länsstyrelses arkiv, Landskansliet DIIa 12: 373–4v, Stödesjö 15 December 1704.
127. For example, KA: RT Ostrobothnia KO a 15: 35–, Carlborg & Lapua 4 June 1668; RA: SHA K 23a: 314v–23, Hedemora rr 18–20 July 1687; RA: SHA B III b 1: 2, 109–11, Grimsten 6 May 1695; KA: RT YS KO a 17: 529–31v, Huittinen 27 March 1697; ULA: KLHA X, A I: 7, 206–8, Tuna 19 October 1697.
128. ULA: KLHA X, A I: 7, 207, Tuna 19 October 1697.
129. For example, KA: RT JLRÄ KO a 11: 8–16, Vyborg 28–29 January 1670; KA: RT Kymenkartano KO a 2: 320v–21, Vehkalahti & Valkeala 8–9 January 1672; RA: SHA G 27a: 436–41, Järvsjö 21 July 1679; Härna 1685 presented in Bergstrand (1976, 14–15); Sundal 11 August 1691 in Zakariasson (1980, 350). For references to not daring to move the corpse before a court decision, RA: SHA G 45a: 80v–2v, Forsa, Idenor, Hög, Rogsta, Illsbo och Tuna n.d. 1695. See also KA: RT Turku RO z 34: 349, Turku 17 Sept 1666; RA: SHA G 27a: 430v–6, Järvsjö 6 June 1679; KA: RT Kexholm KO a 10: 6v–8, Rautu, Sakkola & Pyhäjärvi 22–26 January 1689; RA: SHA G 36a: 350–56, Ovansjö 4 May 1689; RA: SHA J 47b: 974v–7, Sveg 27 Aug 1696 and J 3b: 883–86, Offerdal & Rödön 21 July 1700.
130. For example, permission given to move and store the corpse of a sane suicide before the Court of Appeal decision. KA: RT JLRÄ KO a 11: 8–16, Vyborg 28–29 January 1670; RA: SHA Stockholms län 4b: 599–601v, Öregrund 18 June 1686. Permission for temporary interment: KA: RT Kexholm KO a 10: 7v, Rautu, Sakkola & Pyhäjärvi 22–26 January 1689; RA: SHA J 47b: 974v–7, Sveg 27 August 1696.
131. KA: RT Turku RO z 34: 349, Turku 17 September 1666.
132. *Lagkommissionens protokoll 1694–1711*, 5 October 1699 in Sjögren 1901 (vol. II), 148.
133. I.e. a separate visitation by local trusted men conducted at times. For more, see Chapter 4.
134. Vandekerckhove (2000, 43–64, 156–61). In medieval Western Europe, see Murray (2000, 18–37).

135. Jarrick and Söderberg (1998, 56–57), Keskisarja (2011, 227), Levander (1975, 217–19, 222).
136. Other tasks incl. collecting animal carcasses, slaughtering and skinning, transporting and disposing of suicides (Levander 1975, 216, 229, 233). See also Persson (1998, 156–57).
137. Kloot (1651, 80). Perhaps some were transported in the executioner's cart like those travelling to receive the death penalty at the place of execution. See Levander (1975, 241). It is indeed possible that sane suicides were dragged along the ground from the locus of death to the place of disposal, as in many other regions of early modern Europe. See Vandekerckhove (2000, 47–53).
138. ULA: KLA D II: 21, Ludvika 18 May 1698, attachment dated 27 May 1698.
139. One case from Stockholm from 1674 mentions that the executioner had hanged the corpse from the gallows, something that was fairly common in premodern Europe (Jansson 2004, 84). See also Vandekerckhove (2000, 53–59).
140. For example, Cringelius (1604, 4–6, 19–22, 30, passim). 'An entire land and Realm is punished and razed because of a misdemeanor done by a one man' in Berchelt (1589), 1st Cap, n.p. See also Jansson (2004, 90–91), Kjöllerström (1957, 68–100), Vilkuna (1996).
141. Aalto et al. (2000, 205), Vilkuna (1996, 73–76), Österberg et al. (2000, 241–44). See also Juva (1955, 74–84).
142. Frank (1994), Lederer (1994; 1998, 358–61), Luef (2016, 122–26), Stuart (2008, 417). On cases of neighbours and other groups of local populace opposing burials of suicides and demanding punishments already around late-medieval Europe, see Murray (1998, 110–13; 2000, 468–69, 476–77).
143. Case presented in Bergstrand (1976, 12–13).
144. Case presented in Jansson (2000; 2004, 90–91), Ohlander (1986a, 40–41), Thunander (1996, 3–4).
145. Thunander (1996, 3).
146. ULA: UDA A I: 8, 23 February 1676.
147. Presented in Svenungsson (1970, 149–50).
148. KA: RT JLRÄ KO a 11: 15, Vyborg 28–29 January 1670. Elsewhere it is often mentioned that 'ordinary' people could not handle the corpse of a sane suicide. E.g. RA: SHA VN 7a: 445–6v, Gudmundrå 30 January 1686. However, apparently in the areas where the Sámi, an indigenous people inhabiting large parts of northern Sweden, Norway and Finland, resided, they were also accustomed to dealing with such 'shameful' tasks as disposing the corpses of suicides. See HLA: Gävleborgs länsstyrelse

arkiv, Landskansliet DIIa 7: Anundsjö 29 April 1686 and DIIa 11: 45–45v, Undersåker 22 August 1701.

149. Case presented in Jansson (2000; 2004, 90–91), Ohlander (1986a, 40–41), Thunander (1996, 3–4).
150. RA: SHA G 27a: 430v–6, Järvsjö 6 June 1679.
151. Svea Court of Appeal resolutions 6 May and 27 August 1695 in Abrahamsson (1726, 727).
152. Andrew (2013, esp. chapter 3), Butler (2006a, b, c), Houston (2010), MacDonald and Murphy (1990, esp. 127–29, 250), McNamara (2014).
153. For example, KA: RT JLRÄ KO a 7: 72–74, Lapvesi 22–25 May 1665; KA: RT Kymenkartano KO a 2: 269v, Elimäki 26–27 September 1670; ULA: Örebro länsstyrelsens arkiv, Landskansliet (ÖLL) D I qa: 3, Fållensbro 14 May 1687; RA: SHA K 23a: 314v–23, Hedemora rr 18–20 July 1687; RA: SHA B III b 1: 2, 109–11, Grimsten 6 May 1695; RA: SHA K 36a: 449v–56v, Grytnäs 27 May 1697.
154. For example, KA: RT JLRÄ KO a 13: 363–72, Vyborg 22 May 1673; RA: SHA K 23a: 314v–23, Hedemora rr 18–20 July 1687; RA: SHA B III b 1: 2, 109–11, Grimsten 6 May 1695; KA: RT YS KO a 17: 529–31v, Huittinen 27 March 1697.
155. KA: RT Kexholm KO a 3: 1128v–29, Rautu 14–15 July 1663, KO a 4: 137–37v, Kitee 27–29 August 1683 and KO a 10: 6v–8, Rautu, Sakkola & Pyhäjärvi 22–26 January 1689; KA: RT JLRÄ KO a 7: 72–74, Lapvesi 22–25 May 1665; KA: RT Kymenkartano KO a 2: 320v–21, Vehkalahti & Valkeala 8–9 January 1672; KA: RT Jääski, Ranta & Äyräpää II KO a 4: 151–52, Jääski 14–17 February 1688; KA: RT Kymenkartano & Lappee KO a 3: 299v–303v, Lappee & Joutseno 11–13 June 1688. For a case of being touched and cut down in an attempt to rescue the person: KA: RT JLRÄ KO a 13: 363–72, Vyborg 22 May 1673. Also, a notorious sane suicide was cut down and moved from the sauna where he had hanged himself to a cold space. KA: RT JLRÄ KO a 3: 33–37, Jääski 10–12 February 1660.
156. KA: RT JLRÄ KO a 7: 72–74, Lapvesi i.e. Lappee 22–25 May 1665.
157. KA: RT Kexholm KO a 3: 1128v–29, Rautu 14–15 July 1663; KA: RT JLRÄ KO a 7: 72–74, Lapvesi 22–25 May 1665; KA: RT Kymenkartano KO a 2: 320v–21, Vehkalahti & Valkeala 8–9 January 1672; KA: RT Kexholm KO a 4: 137–37v, Kitee 27–29 August 1683.
158. Saloheimo (1976, 9–13).
159. Katajala et al. (2010, 241–42).
160. Morrissey (2006, 20–24, 29–31).
161. Discussed in Morrissey (2006, 29–31).
162. KA: RT Kexholm KO a 3: 1128v–29, Rautu 14–15 July 1663; KA: RT JLRÄ KO a 7: 72–74, Lapvesi 22–25 May 1665; KA: RT

Kymenkartano KO a 2: 320v–21, Vehkalahti & Valkeala 8–9 January 1672; KA: RT Kexholm KO a 4: 137–37v, Kitee 27–29 August 1683.

163. With the exception of some of the eastern Orthodox groups still in Karelia, see Katajala (2005), Katajala et al. (2010, 278–79, 423–26, passim).
164. Saloheimo (1976, 275). Also, nearby in Savo in eastern Finland island cemeteries were still in use (Kuha 2012, 9).
165. Katajala et al. (2010, 59–61, 245), Partanen (2011a, 134).
166. For a discussion especially in relation to handling women's matters and offences within the kin-group outside the courtrooms, see for example Mäkelä (1989, 87–93), Pylkkänen (1990, 213), Toivo (2008, 85–86).
167. In northern Kexholm, see Saloheimo (1976, 92–96, 231–34, 275, 307); on large jurisdictional districts in the eastern research areas, see Holmberg (1959, 8–9, 36, 47), Jutikkala (1959, 31). For policing in the hands of local kin groups and local communities in eastern Finland, see Matikainen (2002, 169–70). Temporary burials in general were common, for example, in Savo in eastern Finland due to the great distances to cemeteries (Kuha 2012, 9).
168. RA: Justitierevisionen, Åbo hovrätts arbetsberättelser 1665–1667, 1669: 8 March 1669 (an unauthorized burial without clergy in the location of a former chapel) and 6 December 1669 from Vyborg/Jääski (a man had arranged the interment of his father on an island without the involvement of clergy).
169. RA: SHA K 23a: 314v–23, Hedemora rr 18–20 July 1687. For examples of the corpse similarly treated in the 'usual' ways (including being washed, put in a coffin), for example ULA: ÖLL D I qa: 3, Fållensbro 14 May 1687; RA: SHA B III b 1: 2, 109–11, Grimsten 6 May 1695; KA: RT YS KO a 17: 529–31v, Huittinen 27 March 1697; RA: SHA K 36a: 449v–56v, Grytnäs 27 May 1697; RA: SHA VN 16: 206–7v, Tuna 7 May 1699; Nora 18 May 1713 presented in Luef and Miettinen (2012, 108). Also, in Värend in 1616 the friends of the suicide had moved and washed the corpse: presented in Jarrick (2000, 99–100).
170. For example, HLA: Gävleborgs länsstyrelse arkiv, Landskansliet DIIa 7; Anundsjö 29 April 1686; RA: SHA B III b 1: 2, 109–11, Grimsten 6 May 1695 and HLA: Gävleborgs länsstyrelses arkiv, Landskansliet DIIa 12: 373–4v, Stödesjö 15 December 1704. Further discussed in Chapter 3.
171. Clearly, for example, in KA: RT Kexholm KO a 10: 6v–8, Rautu, Sakkola & Pyhäjärvi 22–26 January 1689; RA: SHA B III b 1: 2, 109–11, Grimsten 6 May 1695; KA: RT YS KO a 17: 529–31v, Huittinen 27 March 1697.
172. RA: SHA U 49a: 292v–5v, Hagunda 22–27 June 1689.

173. KA: RT JLRÄ KO a 6: 54–57, Ruokolahti 13–14 June 1664.
174. ULA: KLHA X A I: 1, 109–9v, Tuna 23 September 1689.
175. ULA: KLHA X, A I: 5, 70–70v, Skedvi 4 July 1695. Similar to ULA: KLHA III, A I: 9, 29–31v, Tuna 30–31 May 1665, KLHA III A I: 15, 105–5v, Skedvi 25 September 1672, KLHA X, A I: 1, 109–9v, Tuna 23 September 1689 and KLHA X, A I: 5, 81–83, Vika 3 April 1695.
176. See, for example, Frevert (2011), Reddy (2001) and Stearns and Stearns (1985). On the necessity of the 'period eye' in making interpretations about emotions, see for example Boddice (2018, 106–31, passim).
177. Suspected suicides of minors were typically acquitted or dismissed and included many references to the sorrow of the bereaved. KA: RT JLRÄ KO a 5: 289–91v, Äyräpää 10–12 November 1663; ULA: Trögds häradsrätts arkiv A I: 2, 101–4v, Trögd 21–27 February 1694; ULA: ULL D IId: 40, Tierp 10 September 1696; RA: SHA VM 42b: 595v–8, Västerås 9 July 1698. However, minors could also be sentenced for suicide: KA: RT Kexholm KO a 10: 6v–8, Rautu, Sakkola & Pyhäjärvi 22–26 January 1689; ULA: VMLL D I: 31, Åkerbo 28 August 1695; RA: SHA U 66: 958v–9, Håbo 11 June 1700.
178. 'men beer jempte sin hustru med gråtande Tårar och knäfell att han matte få begrafwa honom i Kyrkiogården, helst effter som han gåssen warit een wacker gosse som kunnat wackert läsa och gådt flijtigt i kyrckian'. KA: RT Kexholm KO a 10: 6v–8, Rautu, Sakkola & Pyhäjärvi 22–26 January 1689.
179. Jarrick (1997, 187–90).
180. *Een ynckelig wijsa 1685 & 1688.*
181. See for example Clark and Goldney (2000).
182. That the households were to keep watch over their members who showed dangerous signs of suicidality (such as melancholic talk, suicide talk, suicide attempts, insanity) emerges when the lower courts questioned them over the failure to do so in the suicide cases. For example, KA: RT NO KO a 3: 162–63, Liminka 9–12 February 1683 and KO a 13: 91–94, Sotkamo 10 August 1692; RA: SHA VN 7a: 445–6v, Gudmundrå 30 January 1686; RA: SHA K 23b: 892–99, Husby 14 February 1687; ULA: KLHA X, A I: 5, 70–70v, Skedvi 4 July 1695.
183. On disenfranchised grief, see Doka (2008).
184. Some examples of very unpopular and/or violent community members whose suicides did not appear to cause distress in their households based on the testimonies: ULA: KLHA III A I: 8, 6–7, Tuna 23 March 1664; KA: RT Vehmaa & Ala-Satakunta KO a 7: 414–17, Eura 17–18 October 1664; KA: RT NO KO a 12: 719v–23, 726v–27, Kokkola 8 July 1671 and 15–17 August 1671; ULA: ULL D II d: 14, Sotholm 9 August 1687; ULA: KLHA V, A I: 1, 309–16, Garpenberg 20

December 1690; ULA: KLA D II: 16, Garpenberg 28 January 1691; ULA: KLHA IV, A I: 6, 35–35v, Bjursås 5 July 1693; RA: Stockholms län 5: 177v–78v, Fährentuna 3 October 1695; KA: RT Vehmaa & Ala-Satakunta II KO a 7: 210–20, Ulvila 12 September 1696.

185. Jansson (1998, 2004), Krogh (2012), Liliequist (1992, 99–100, passim). Also, these types of suicidal murders among infanticide cases in eighteenth-century Finland, see Rautelin (2009, 92–94).

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CHAPTER 3

Prosecuting Suspected Suicides: Processes and Obstacles

After the discovery of a suicide, or of any suspicious death, its recording required that certain measures be taken and certain conditions fulfilled. To better understand how suicides were approached and processed, it is necessary to examine the decisive initial stages of the judicial process and discuss how in practice the cases came before the lower courts. Earlier research has not examined in much detail the practical or regional aspects of indictments and subpoenaing related to crimes in early modern Sweden.[1] The practicalities in the prosecution of suspected suicides, in particular, have been largely overlooked in research on suicides in early modern Europe.[2]

This chapter discusses the difficult process of prosecuting suspected suicides and the opportunities for formal social control in different parts of Sweden. The chapter first focuses on outlining the typical courses of the suicide cases handled in the secular courts as well as the risk factors most crucial to this course. Secondly, without going into specific microstudies, I will discuss the occurrence and probablity of such risk factors arising in different regions, and the regional differences in the indictment and crime rates. Lastly, I will examine the temporal changes in the rates of suicide prosecutions and sentences, linking certain jurisdictional, administrative and cultural shifts with the growing rate in early modern Sweden. The chapter thus provides a more detailed study of the pretrial events and the prerequisites for a suicide to leave any written traces, and in particular, to be investigated in the secular courts. As such, it continues the discussion on the reception of suicides in early modern Sweden.

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Progressing to Indictment

There were several prerequisites for a suicide to be discovered, identified, reported to the authorities and subsequently prosecuted. The figure below outlines the conditions that had to be fulfilled for a suspected suicide to be indicted and investigated in the secular courts. On the right I have described the most important risk factors that might interrupt and prevent this course of action, thereby avoiding a trial in a secular court of justice. Similar conditions can generally be applied elsewhere in Europe, where suicides were dealt with in criminal trials, records of them surviving only in judicial documents (Fig. 3.1).

First of all, the prosecution and sentencing of the deceased for suicide necessitated the discovery of a corpse or human remains. The punishment was, after all, exacted on the corpse, without which there would

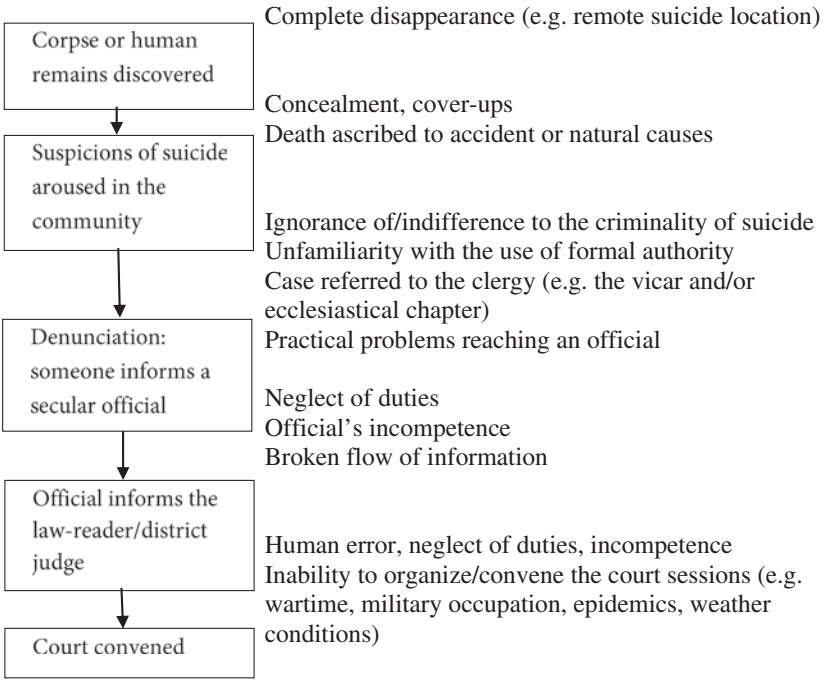
Corpse or human remains discovered
Suspicions of suicide aroused in the community
Denunciation: someone informs a secular official
Official informs the law-reader/district judge
Court convened
Complete disappearance (e.g. remote suicide location)
Concealment, cover-ups
Death ascribed to accident or natural causes
Ignorance of/indifference to the criminality of suicide
Unfamiliarity with the use of formal authority
Case referred to the clergy (e.g. the vicar and/or ecclesiastical chapter)
Practical problems reaching an official
Neglect of duties
Official's incompetence
Broken flow of information
Human error, neglect of duties, incompetence
Inability to organize/convene the court sessions (e.g. wartime, military occupation, epidemics, weather conditions)

Fig. 3.1 Prerequisites: Conditions to be satisfied for a suicide to be investigated in the secular court (left) and risk factors (right) in early modern Sweden

be insufficient evidence to determine suicide and no point in passing a sentence that could not be carried out. Disappearances may have given rise to suspicion, and they might be reported and mentioned in the court protocols, after which missing persons could be proclaimed from the pulpit and search parties could be assembled.[3] But unless human agency was suspected, a case without a corpse was not usually, per se, tried for a crime. Instead, criminal investigations were almost without exception postponed until the corpse or remains were found, even if, in the case of a suicide, there had been eyewitnesses and it was otherwise beyond doubt.

Throughout the century people simply went missing and were never found. We can assume that some would-be suicides took precautions for concealment in order to spare their own corpses from shameful treatment and their families from the disgrace of trials and punishments. For example, drowning oneself in a suitable (hidden and distant) place could make the death look accidental. Working on the assumption that at least some of the missing persons were undiscovered suicides, the dark figure (actual number) of suicides may be very high.

Certainly, the suicide location had an impact on whether the body was found, and thus on whether the case ended up in court. Corpses and remains in accessible places where people lived, sojourned or passed through were more easily spotted, and these unsurprisingly constitute the vast majority of the cases in this study. As, for example, later in nineteenth-century Finland,[4] bodies were most often found in familiar locations in the sphere of their everyday lives, and, perhaps for reasons related to privacy, weather conditions and the danger of being devoured by animals, suicides appear to have preferred to meet their end indoors. However, homes were clearly not preferred suicide locations—mostly those in very poor health ended up taking their lives at home, and in general, less than 15% of the suicides in the material were committed *inside* the person's or someone else's home. If suicidal individuals subscribed to the beliefs on the contagiousness of suicide, shame and misfortune, they would generally try to avoid their own homesteads.[5] More common were suicides in the outbuildings or in the yard. Over a third were found in stables, barns, saunas, granaries or other such structures, or simply discovered outside in the yard or in the yard wells.

Roughly a third ended their lives in water, such as lakes, rivers, dams and ponds, most of which were also close to settlements. However, any waterway with a current could carry the bodies away and fish might eat

them,[6] making their discovery less likely than the discovery of those who had died in small ponds or on dry land. It is very likely that many of the drowned suicides, especially those who drowned themselves at sea and in remote stretches of water, were never found. In a number of cases, the discovery of the corpse or its remains was obviously a matter of chance. In about a fifth of the suicide cases in this study the remains were discovered in remote locations and on the outskirts of habitation, like remote rivers and forest lakes and in outlying or abandoned meadows and barns. A few of them were found as a result of more or less organized searches, but most were encountered by chance by fishermen, shepherds and other passers-by. It can be assumed that in many of these cases the person had made a conscious choice to commit suicide in a secluded place, one that allowed a very slim chance of rescue or discovery.[7]

Alongside the location of the death, the season when the suicide occurred could influence whether and how quickly the corpse was discovered. Typically, the greater the delay in recovery the greater the difficulty in identifying the deceased and establishing the cause of death. The documents indicate that suicides were most often discovered, reported and prosecuted during the spring and summer months. A look at the timing of the suicides in this study[8] shows that only about a tenth had taken their lives in winter (December–February), while about a third had killed themselves in spring (March–May), and another third in summer (June–August). Roughly as many suicides were committed during the three spring months as during the six months of autumn and winter. March, April and June stand out as the peak months. Various other studies on historical samples report similar seasonal peaks.[9] Perhaps, as in the modern world, there was an increase in suicide during the springtime.[10] Nevertheless, the late autumn and winter months may be underrepresented here given the problems of discovery and identification. Dark northern winters and their typically heavy snowfall and ice might cover the remains in remote locations and waters, so that they surfaced in the spring only if preserved in the frozen conditions. On the other hand, all seasons included the chance of the corpse being eaten by wild animals.[11] Inability to identify the method of death or the deceased due to decomposition or mangling by animals would render the investigation futile due to lack of evidence.[12]

Those who discovered the corpses were usually kin, household members or neighbours of the deceased, who had an opportunity to conceal the suicide. There may well have been many successful cover-ups

that never came to the knowledge of either other community members or Crown officials and clergy. To avoid bringing shame on themselves or their dead friend or relative, those concerned might claim that the death had been natural or accidental, or dispose of the corpse in secret and claim that the person had gone missing. However, great care had to be taken to avoid rumours reaching officials' ears. The material includes only a handful of cases in which cover-ups failed and came to the attention of secular judicial authorities. For example, in 1695 the household of the retired district judge who had hanged himself was accused of concealing his suicide in the late 1680s. They had cut him down, led everyone to believe that he had died of natural causes and let the clergy bury him in the churchyard. However, seven years after the cover-up a farmhand who had participated in it revealed the secret to the bailiff. The concealers were nevertheless exempted from punishment by both the lower court and the Court of Appeal.[13]

As before the Royal Council letter issued in 1710, there were no clear guidelines on how to deal with such conduct, the lower courts were perplexed and usually left such 'concealments' unpunished. For example, in 1663 in Kexholm the lower court saw no need for further penalties for the suicide or the bereaved although the parents of the hanged woman had simply cut her down and buried her in the bog.[14] Similarly, in 1665 the lower court of Lapvesi thought it best to leave the drowned corpse of an insane suicide in the remote place where the widow and two men had buried it, and did not comment on the conduct in its records.[15] In Vehkalahti in 1673 the lower court turned to the Turku Court of Appeal asking for appropriate penalties for the widow who had buried a suicide in the woods without an investigation and sentence.[16] The bereaved were also caught in 1688 in Jääski for having arranged a burial for a suicide in the belfry, but suffered no penalties for their action.[17] The bereaved had also interred an insane suicide in the northern side of the churchyard in 1704 in Stödesjö, in Västernorrland, before a lower court sentence. Apparently, as concordant with what the lower court prescribed to his corpse, the lower court saw no need to punish them; however, later the Svea Court of Appeal instructed the provincial governor to reprimand them for this conduct and to remind everyone not to meddle with suicides before a legal investigation and verdict.[18]

Penalties would have in principle been in order had these people placed the corpses in the church or churchyard without the permission of the clergy, as such unauthorized burials in graves were punishable by

hefty fines.[19] Vicars, deans and cathedral chapters were also approached, and involved in such 'concealments' from the secular officials, as will be discussed later in this chapter. However, acting contrary to a court sentence already passed was punishable, as in the case of the Sámi man ('Lapp'), who had been hired by the widow to bury a suicide already sentenced to the executioner's treatment, which came to light in 1686; he was punished with eight days in prison.[20] The royal letter from 1710 offered only slight clarification, making it punishable to mislead the clergy to bury such suicides that would not be allowed burials (i.e. presumably, sane suicides).[21]

Instead, the sources—though unavoidably distorted in this respect—suggest that those finding a dead body usually sought help and witnesses, quickly calling other people to the scene.[22] The court records that include descriptions about the flow of information or denunciations of suicides show that the bereaved (often described to have been in shock) typically ran to their neighbours to tell them what had happened immediately after the discovery, or that the finder of a corpse went to the nearby village to inform others of his discovery.

However, in order to be brought to trial the death needed to have characteristics that roused suspicion of suicide or another crime. The pretrial interpretation of each suspicious death, conducted informally in the community, determined which cases were passed on to the secular officials. Something in the deceased's way of death, behaviour and past had to be interpreted as including signs of sudden, unnatural death. Violent deaths, but also abnormal death locations, certainly pointed to the possibility of a crime. Suspicion of suicide might arise if the behaviour of the deceased had previously aroused concern in the community. However, many deaths to which there were no eyewitnesses were simply categorized upon discovery as accidents. This especially concerned drownings, most of which were not initially brought to court, but simply ruled as accidents and the bodies buried by the Church. For example, Bodil Persson's study (1998) has shown that only a third of all drownings were indicted in early eighteenth-century Scania, the southernmost province in Sweden. There is no doubt that at least some of them were unrecognized suicides.[23] In general, there is no way of knowing how often self-inflicted deaths were ascribed to natural causes or accident outside the courtrooms.

Nevertheless, discovering a corpse bearing signs of violent or otherwise unnatural death, or one in an unusual location (that is, not at home

where the deathbed usually was), appears to have been an extraordinary event that required official intervention. Whenever a corpse or human remains were found, the event immediately attracted attention in the locality and aroused suspicion.[24] A case investigated in Njurunda, in Västernorrland, serves as an excellent example of this. In October 1687 dogs found a human skull and some bones in the forest and the discovery led to a prolonged investigation that continued in an extraordinary session in April 1688 and in the autumn court session in 1688. The court heard witnesses on missing persons and unknown passers-by, and a group of local people scoured the woods for further remains and clothing. Finally, a crime was detected: someone travelling through the locality had strangled his travelling companion in the woods in 1686.[25]

Once a corpse was discovered and foul play suspected someone had to pass the information on to the officials responsible for prosecuting suspected suicides before a court case could be instigated. Throughout the Swedish realm, indictments resulted primarily from direct denunciations, or rumours originating in the local communities: officials were dependent on the community and their willingness to alert the authorities to their suspicions.[26] In practice, the functioning of the entire state administration, including the administration of justice, required local allegiance, consent, co-operation and participation. The state lacked effective means of control and police forces, at least in the vast rural areas, even if the local clergy increasingly served Crown interests.[27] Someone in the local community who either knew the deceased, witnessed the event or remains, or heard of the suspicious death, had to have the motivation or an interest in reporting the sudden death to the officials. The vague, medieval law in force only spoke of the necessity to report all crimes of violence to the local men and neighbours on the holy day following the discovery, or at least at the next lower court sessions.[28]

There were several, mostly untrained civil servants and office-holders in each rural district. Especially the constable (*länsman*, a Crown servant overseeing and tending to various local matters, including acting as prosecutor in crimes in which there was no plaintiff) of the locality (*socken*) and the bailiff (*befallningsman*), lay jurors (*nämndeman*, 12 local peasant freeholders serving as lay members of the lower court) and 'quartermen' (*fjärdingsmän*, typically four local peasant masters from each quarter of the district) of the jurisdictional district (*härad/tingslag*) were, alongside their other tasks, supposed to ensure that the law was obeyed and report crimes to their superiors. After 1634 they all

answered to the provincial governor (*landshövding*), who bore the greatest responsibility for maintaining law and order in his area (province, *län*).[29] Besides these civil servants responsible for 'policing' at the local level, other local men held minor posts,[30] assisting the officials in other tasks and acting as informants and messengers between the populace and the officials responsible for law enforcement.[31] After 1680 district judges were required to reside in their district,[32] but even before this at least some of the judges and their substitutes, so-called law-readers, dwelled in the area for which they were responsible or at the very least travelled the district to accomplish their duties. The local constables, lay jurors and quartermen were the most accessible of all the rural minor officials, since they were all local peasant farmers residing permanently in different parts of the district.[33] Moreover, the clergy and those peasant farmers who held certain parish offices, such as the 'sixth men' (*sexman*), monitored people's behaviour and the observance of the ecclesiastical laws, as well as attending to Church discipline. Although they were not responsible for enforcing the secular law, they might also assist the secular authorities and report criminal offences if they became aware of them, just like everyone else in the community.[34]

In the towns, people simply had to share their suspicions with any of the members of the Town Court (*rådhusrätt*), i.e. one of the aldermen (*rådman*) or the burgomasters/mayors, or, if appointed, the treasurer presiding over the urban lower court instance (*kämnärsrätt*), the town bailiffs, the town public prosecutor (*stadsfiskal*) or other town servants, such as the guards.[35] Policing was the responsibility of all the members of the Town Court (i.e. Town council/magistrate). According to the law, there should have been 30 aldermen and six burgomasters in each town, but in practice there were significantly fewer.[36] For example, in the large town of Vyborg there were approximately four burgomasters and ten aldermen and about 15 other hired lower town officials.[37] It has been estimated that the last group, i.e. full-time minor office-holders, exceeded ten people only in the largest towns. The smallest towns managed with one or two office-holders in addition to the members of the Town Court.[38]

Records containing information on those who reported the event to a secular official suggest that the lowest civil servants, such as the lay jurors, the quartermen or the parish sixth men, did not have a prominent role in the denunciations, not even as messengers. Instead, the

informants were usually the discoverers (frequently the bereaved). The secular officials to whom people reported the case in person or by letter range from the local constable and bailiff to—if he happened to be nearby—the district judge. Perhaps this reflects the gravity of the offence: the people involved considered it better to present the case openly and personally to higher-ranking local officials in order to avoid suspicion of murder and the spread of rumours and misinformation.[39] Still, at times the message travelled orally via a circuitous route. For example, in a case from 1689, the husband of the suicide first told his neighbour, and both then went to his landlord, who joined them to report the case at the parsonage the day after. This allowed the husband to inform both the vicar and the visiting local cavalry captain (*rytt-mästare*). The cavalry captain immediately commenced investigations, although this was not included among his usual tasks, and later passed the information on to the secular judicial authorities.[40]

There were nevertheless several risk factors, outlined in Fig. 3.1, that might prevent or inhibit information from reaching the secular judicial officials. First, some may have been unaware of the criminality of suicide, unfamiliar with the use of formal and secular authority, or simply negligent and determined to deal with the matter themselves. Also, distance, weather and poor road conditions might be a factor, and people might be too busy in their seasonal agrarian commitments to travel to see the officials. These matters, no doubt, depended on individual factors and local conditions, but also, as will be discussed, show regional differences in the large Swedish Kingdom.

Moreover, in some cases the people only contacted the local clergy. The vicar was, of course, the person who usually dealt with deceased parishioners in the community. He could then pass the information on to the Crown officials.[41] However, he did not necessarily do so—he might, at least until the 1680s, deal with the case according to the ecclesiastical regulations and customs and allow burials for insane suicides, or refer the cases to his superiors, like the cathedral chapters (Bishop's Court, *dom-kapitel*, *capitulus*), without involving the secular officials.[42] As mentioned in the preceding chapter, the ecclesiastical laws and practices were long at odds with the secular law on suicide. The clergy could deal with suicides according to their ecclesiastical regulations and customs, namely the Church Ordinance of 1571 in force until 1686, that exempted insane suicides from the burial prohibition.[43]

Ecclesiastical and secular jurisdictions, or the understanding of their jurisdiction, obviously overlapped in the case of suicides. This situation was not uncommon, as ecclesiastical courts frequently concerned themselves with and independently resolved many other matters concerning penalties for wrongdoers.[44] It appears that the clergy felt they had authority over the burial of suicides because burials in general had long been a matter for the Church. Local instructions and practices for the burials of sane suicides were issued in many dioceses. For example, the Church Ordinance of Livonia, completed by Bishop Johannes Gezelius in 1668, forbade burial of suicides with the exception of those who had had time to repent of their act, for whom burial in the cemetery was permissible only in a remote spot and without tolling of the bells or singing.[45] In the diocese of Västerås in Västmanland Province, Bishop Johannes Rudbeckius' statutes, passed during the 1620s and 1630s, reiterated that the corpses of sane suicides should not be buried in hallowed ground.[46] Accordingly, the chapter decided in 1620 that the body of a sane suicide was to be buried anywhere outside the churchyard walls. However, it was mentioned that in general suicides could only be buried north of the church, *in loco peccatorum*, a spot previously used for the interments of many suicides. Yet this time the man's relatives were given a chance to redeem him: if they were willing, they could pay 100 *daler*, a large sum of money, to have him buried unceremoniously inside the churchyard in its northern corner. This case, though unique, suggests that the rich might have the chance to bypass even the prevailing Church Ordinance.

In turn, in 1673 the bishop of the large diocese of Turku, Johannes Gezelius, instructed his subordinates always to turn to the district judges to determine the fate of suicides. However, it was added that deaths that were, or seemed, accidental could still be handled by the Church alone without reference to the secular courts. Also, if melancholic or despairing people otherwise passed away, the chapter was to decide on their burial on the basis of the local vicar's opinion and a description of the deceased's life and last moments.[47] Thus the instructions still left ample leeway for the clergy to deal with suspicious deaths that might have been suicides.

At times the forms of burial for suicides were decided case by case in the cathedral chapters presided over by the bishop and handling the ecclesiastical judicature. The praxis in the Uppsala and Stockholm chapters suggests that the sane were indeed usually denied burial in the

church or churchyard,[48] but most insane suicides were allowed burial inside the churchyard, at least until the late 1670s. The burial locations were generally specified, often in the north of the churchyard, while the use or absence of ceremony and its form depended on the reputation and religiosity of the deceased.[49] It is noteworthy that when the chapters discussed suicides, they rarely made any reference to the secular officials or legislation.[50] The clergy were clearly reluctant to relinquish jurisdiction over burials,[51] and interpreted their responsibilities according to the old custom and the medieval principle that each offence be punished only once by the judicial authority to which it was first brought.[52] Thus it is likely that the cases which were first introduced in the chapter were only exceptionally prosecuted in the secular courts—if the bishop had already passed sentence on the matter, it was deemed futile to refer the case elsewhere.

Burials of suicides were also determined at the lower level, for example by deans, during the local visitations of deans and bishops, and by local vicars.[53] Unless these burials came to the attention of a secular official,[54] the cases certainly never ended up in the secular courts. For the most part of the research timeframe, these suicides hardly left any trace in the preserved documentation.[55]

It must be pointed out that there are few signs that the ecclesiastical organs or actors received any reprimand or penalties for their conduct. The single extant mention of repercussions is a famous case that ruined a renowned vicar's career in 1663. Near Stockholm, the vicar of Bromma, Samuel Hammarinus, was seized and dismissed because he had cut down his hanged maidservant and buried her in the cemetery. His case was discussed both in the lower court and the Stockholm chapter, and the chapter deemed him for an indeterminate period unfit to hold office.[56] No doubt the news of this scandal travelled far, possibly deterring other clergy from dealing with suicides without at least consulting the chapters.

In all likelihood there was variation in the knowledge and observance of the secular law among the local clergy as well as in their duty and zeal to refer such cases to the secular courts. The vicar might have close ties and shared interests with his parishioners,[57] which might influence how he dealt with potential criminal cases such as suspected suicides. Nevertheless, most cases known to have involved the local clergy as informants to the secular officials took place only after the Church Law of 1686 made it clearly mandatory for them to report and refer suspected suicides to the lower courts. For example, in Tuna in 1699 the

bereaved quickly informed the local curate of a suicide, and he in turn wrote to the vicar asking how to deal with the case. However, following the new Church Law, he replied that he could do nothing about the matter and had written to the district judge, referring the case to him.[58]

It can be assumed that the last two criteria outlined in Fig. 3.1. were typically fulfilled when a secular official had received information of a suspicious death. Lower officials were instructed to inform the judges about all criminal offences and the judges had on pain of punishment to convene a court session.[59] At least there is not much evidence of complaints or reprimands made against, or fines imposed on, local officials or district judges for noncompliance in suicide cases. The one exception is a case in which the Castle Commandant of Vyborg failed to report a suicide to the judicial officials in 1673. He had wanted to keep the case out of the courtrooms, apparently because of his involvement in causing the deceased's suicidal thoughts. Thus he had autocratically ordered the executioner to take care of the corpse without a court investigation. Later, the lower court attempted to reprimand the Commandant for this but appears to have failed, as he totally refused to attend the court sessions.[60]

On the other hand, although in principle minor officials were not allowed to decide independently on the dismissal of charges, some discretion and leeway were allowed. For example, in cases of bestiality, a mere rumour was not necessarily a sufficient basis on which to indict someone, and the officials could require trustworthy testimonies and eyewitness depositions before prosecuting the case.[61] The same most likely applied to suicide. However, the personal ambitions and motivations of local officials encountering suspicious deaths might vary. It is possible that some chose to turn a blind eye to denunciations and suspicions because they may have had their own ties to the deceased, or decide not to take matters further out of respect for the bereaved.[62] Nor can corruption be excluded.[63] As most of the lay office-holders were local peasants or burghers, they had a dual role in the local setting: on the one hand they had duties as representatives of the Crown but on the other they were members of the local community as well as individuals with personal interests and convictions.[64]

It must be pointed out that, unlike in some other European regions, the officials had hardly any financial motivation to prosecute cases. Although the district judges received a share of the fines and payments for written documents of verdicts, the local constable received no extra payment for his work as the prosecutor. Also, the lay jurors in the lower

courts were not compensated for serving in the court sessions. However, an ordinance passed in 1686 partly changed this situation, allowing them extra pay, as well as the district judges, for participating in extraordinary court sessions, i.e. a session convened under special circumstances outside the regular winter, summer and autumn gatherings. As suicides were, according to the law, to be investigated as soon as possible after the discovery, these actors since the late 1680s thus had a financial interest in enabling suicide investigations.[65]

All sorts of human errors and external factors could result in a breakdown in communications, and could thus preclude or postpone court sessions: for instance, letters went missing.[66] There were occasions and certain times when efficient judicature failed or became difficult. All the vagaries of distance, weather, epidemics, famine and war had an effect on the indictment of crimes in general,[67] and thus, very likely also of suspected suicides.

Once denunciations had been made and information passed to relevant office-holders there was another crucial task: the local officials had to locate and summons witnesses to be present at the trial. As the law and other guidelines stated, both the prosecutor or plaintiff and the defendant were responsible for gathering evidence for and against a charge, although the burden of proof was on the prosecution.[68] The local constable, or at times the bailiff, usually acted as the prosecutor in these types of victimless crimes in the countryside; hence it was primarily their and their subordinates' task to gather the evidence and summons witnesses.[69] In the towns, the town public prosecutors (*stadsfiskal*), town bailiffs or other secular office-holders could act as the prosecutor.[70]

There were several ways to reach and summons witnesses. Naturally, in such exceptional and sensational cases, information about the impending trials circulated orally, and could be announced in church, in earlier court sessions and at the parish meetings (*sockenstämma*).[71] However, an announcement inviting people who had information on the matter to attend the next court sessions did not compel anyone to give testimony in court.[72] Unlike, for example, England, where at least 24 men were summoned from the immediate vicinity of the death and everyone who had information regarding the suicide was ordered to appear as witnesses in the inquests,[73] in Sweden witnessing was more voluntary.[74] It appears that only a subpoena issued by an official and fetching witnesses during a trial made it mandatory to testify. Still, the legislation mentions no penalties for failing to appear, even if the witnesses were summonsed by

the officials or parties involved. Instead, it vaguely states that witnesses were to attend the court sessions in which the matter was investigated.[75] There were also various legally acceptable reasons for not appearing in court, such as illness, Crown duties, wartime and insanity.[76]

In practice, it was in the hands of the minor officials to directly summons witnesses to appear in court. In the countryside, the lay jurors assisted in communicating summonses while in the towns it was the various public servants who took care of it.[77] This, of course, required that the officials had information on who possessed knowledge relevant to the investigation. In the last resort, they could fetch and summons witnesses during the investigation. In the case of suicides the relatives could invite people to appear in court to speak for the defendant. As in the case of any type of summons, witnesses might not show up: for example, they might be otherwise occupied, the journey might seem too inconvenient and taxing, or they might be reluctant to divulge their information due to close ties with the suspect, or out of respect or even fear of his or her kin.[78] The lack of oral testimony, which in practice served as the most important evidence in suicide cases, would of course render the investigation and sentencing difficult.

Furthermore, it must be emphasized that even if all these criteria were met, documents were still at times lost, be it due to missing lower court records and letters when transported or by later destruction of archives due to fire. As discussed in the Introduction, the study of early modern suicides is inevitably based on limited and somewhat distorted sources and patchy evidence.

Regional Variations

Fulfilment of the prerequisites for the successful flow of information and indictment outlined in Fig. 3.1, as well as for effective summonsing, varied between and within different regions and localities. The risk of non-fulfilment was greater in the peripheral areas and the large jurisdictional districts than in the densely populated central regions and towns. Mapping the cases based on the locality of death suggests regional differences in the probability of a suicide being indicted. There were vast areas and localities, especially in the northern and peripheral inland regions, where no suicide cases appear to have been processed. Rather than suicides not taking place in such sparsely populated areas, it is possible that they were simply not indicted and thus left no traces in the preserved documentation.

The vast majority of suicides cases occurred in the very centre of the Kingdom, in the area around the capital and Lakes Mälaren, Hjälmaren and Runn in Central Sweden, which was relatively densely populated with numerous, albeit small, towns and large nucleated (group) villages. The capital, the land around these lakes and the iron and copper industry and the mines offered a livelihood for tens of thousands of people.[79] It is to be expected that more suicides occur in regions with larger population, but it is noteworthy that the crimes classified as suicides are concentrated in the more administratively well connected areas and especially in the geographically smaller jurisdictional districts (*härad/tingslag*),[80] namely the towns and villages around Lake Mälaren and Runn, in the copper mining region in Kopparberg and Västmanland, and in the countryside surrounding Sundsvall, Härnösand, Oulu, Turku, Vyborg and other busy towns. These represent localities in river valleys, coastal regions and along important, busy roads.[81] By comparison, very few cases were prosecuted or sentenced in the sparsely inhabited regions with their larger jurisdictional districts, especially inland and on the peripheries, like northern and western (inland) Västernorrland, Kopparberg and Örebro and in the northern and eastern inland Finnish-speaking areas and northern Karelia in Kexholm Province.[82] The small number of registered suicides in many areas is noteworthy.

There are several features, besides the population, to take into consideration when explaining this cumulation, as well as the paucity, of suicide cases in certain areas. The regional differences in indictments were connected to residential density, the accessibility and number of officials, the sizes of the officials' areas of responsibility as well as to distances to court sessions. Possibilities for social control varied between regions, both formal as exercised by the authorities and their representatives and informal, as practised in the local communities.[83] Thus, a mixture of circumstances explain why the remote areas in large localities and jurisdictional districts lack evidence of suicide verdicts or suspected cases; most of them are related to the challenges or risk factors already outlined in Fig. 3.1. In the peripheral regions the great distances between settlements, between villages and local centres (in the rural scene typically characterized by the church building, the most populous village and the location of the lower court sessions), and between settlements and the residences of the secular officials as well as the travel and traffic conditions rendered suicides less likely to be discovered and less likely that information about them would be passed on to officialdom.

Disappearances, concealments and cover-ups were easier in areas surrounded by wilderness and characterized by scattered settlements and a lack of compact nucleated villages. The residential pattern was significantly different in the northern and easternmost areas and peripheries, where livelihood depended heavily on other means than arable farming. For example, the eastern peripheral regions were characterized by slash-and-burn agriculture and settlements consisted typically of the same kin.[84] Not only did this social pattern favour dealing with crimes and disputes in private within this type of community that had common interests, but it was much easier to conceal suicides from distant neighbours, clergy and officials than in the western, closely delineated towns and nucleated villages where contacts between settlements were closer.[85]

Distances affected the ability of Crown officials to monitor the people and enforce the law as well as the people's opportunities to contact officials. The size of their areas of responsibility inevitably played a part in the indictment of criminal cases, as S. J. Stevenson noted with reference to the registration and investigation of suicides in sixteenth-century South East England. More coroner's inquests into suicides and accidental deaths were recorded in smaller jurisdictions, implying that the officials could act more efficiently in these districts.[86] Even if there were, as we have seen, numerous minor office-holders in each rural locality (*socken*) and especially each administrative and jurisdictional district (*härad/tingslag*), it was obviously easier for an official not only to supervise and travel around but also to be reached by any inhabitants in a smaller district.[87] Similarly, the clergy's ability to supervise their flock effectively depended on the acreage of the parish. Alongside acreage, demographics need to be taken into account. The ratios of clergy to parishioners can be used as indicative of the situation that other Crown servants typically faced in the countryside. For example, at the end of the seventeenth century, the parishes in Närke (in Central Sweden) had about 625–900 parishioners per vicar.[88] In turn, for example, in Southwestern Finland in Huittinen there were about 2300 and in nearby Eurajoki 1300–1500 persons per vicar—and per local constable tending to secular judicature among his other tasks—in 1695. These more central rural areas were, in fact, well-off in comparison to many localities; for example, in the large parish of Valkeala in eastern Finland the vicar had some 2700 parishioners.[89]

All in all there were many practical obstacles to discovering and prosecuting crimes and summonsing witnesses in places where there were simply not enough officials for the task. Compact jurisdictional districts allowed more efficient governance and thus more rigorous formal or official social control. Moreover, it has been suggested that formal control by the authorities was more intense in some of the baronies and counties, where noble owners often hired foreign or at least non-local men as administrative and judicial officials. These outsiders presumably served the interests of the landlords more vigorously than officials chosen from among the local community.[90]

Nevertheless, some of the local officials, especially the constables and the bailiffs, travelled a lot in their areas, performing their duties related to taxation and judicature.[91] Although information on the distances travelled is scarce, it can be assumed that in general these were not great. For example, it has been estimated that the average distance travelled by a rural person attending to legal business was approximately 30 kilometres per one-way journey, while the typical distance travelled in general remained under 10 kilometres per journey.[92] A journey of 20 to 30 kilometres would usually take one day on foot; similarly, a journey by one person with one horse could safely be only 30 kilometres per day, or 50 kilometres with a seasoned horse without too much to carry.[93] Even if secular officials could travel or send messages further via their social networks and communication by mail,[94] governing an area, monitoring people and policing was challenging in large districts and peripheral regions like inland and eastern Finland,[95] and the large Norrland (Northern Sweden).

Taking into consideration the large jurisdictional districts and poor road conditions, especially on the peripheries, and the major difficulty of travel in certain seasons,[96] not forgetting that there were daily and often laborious agrarian duties to fulfil as well,[97] making the long journey to inform officials, or even clergy, was no simple task. The end result might be cases going unreported and private handling of deaths, including suicides.[98] For example, in 1683 in the court sessions of Kitee in northern Kexholm, the bereaved stated that because of the distance of their locality from the town of Kexholm, there had been difficulties in reaching the authorities, and the discovered remains of a suicide had consequently been buried.[99] Clearly, also in the northern and other peripheral parts of Västernorrland similar long distances and long durations in

correspondence hampered judicature and left room for the bereaved to deal with suicides in private or in other ways.[100]

It was easier to contact an official personally if one lived on a major route regularly used by civil servants and postal traffic. Other transportation was likewise more frequent so that tradesmen and other travellers could pass on information to the next village or the next official they encountered.[101] The area around the capital and the towns of Västmanland, Uppland and southern Kopparberg and Västernorrland must have been well covered.[102] Also, in Southwestern and coastal Finland there were various heavily trafficked roads between the towns and villages, making it very easy to disseminate information.[103] Both the officials and the other local inhabitants could utilize the postal system. The appointed postal peasants were required to deliver mail swiftly along specific postal routes, and letters might also be carried by couriers, tradesmen and their agents.[104]

The particularly large area of Northern Ostrobothnia in Finland serves as a good example of a combination of a vast area of responsibility for officialdom, great distances and other practical problems likely to result in an under-registration, or infrequency of suicide cases in its peripheral reaches. Settlement structure, culture, nature and other conditions were very different in the coastal towns and the southwest from those in the inland and northern parts. Although the population doubled during the seventeenth century, so that the southwest and its riverbanks were quite densely settled and the towns and their immediate hinterlands were characterized by clustered and linear settlement, most of Northern Ostrobothnia was still wilderness and swampland, with sparse and dispersed settlements and farms separated by huge distances. In general, the compact, nucleated villages with unrelated inhabitants that were characteristic of most of Sweden Proper were not typical of Northern Ostrobothnia except on the coast. Throughout the century great distances and smaller numbers of officials impeded and hampered administration in the vast jurisdictional districts (*härad*), and many localities were situated hundreds of kilometres from the administrative town centres, first Oulu and later also Kajaani, Nykarleby and Kruunupyy. The localities were large, with for example Kemi, Ii and Kajaani (as a barony in 1650–1680) comprising over 10,000 km^2. Each locality typically had only one rural constable responsible for dealing with and prosecuting suspected felonies, including suicides.[105] Moreover, although some of its baronies and counties formed separate jurisdictional districts

with their own judges (*domsaga*), in practice the judicature of almost the entire region was conducted by a single judge.[106] The rivers served as vital inland traffic and transportation routes, but only one major, better-maintained road existed, running along the coastline to connect the more important towns and localities.[107]

A similar situation prevailed in the northern and inland parts of the vast Västernorrland Province and in the northwestern parts of Kopparberg Province in Central Sweden. These areas were characterized by sparse population and difficult terrains such as mountains, forests and marshes, few roads and large jurisdictional districts. Some settlements were difficult to reach, at least in certain seasons, because of the lack or poor condition of roads and waterways.[108] For example, although the southern and easternmost part of Kopparberg was densely populated and included many towns and mining localities (*bergslag/bergen*) that constituted their own very small jurisdictional districts, in the northern half of the province the population density was lower and the jurisdictional areas much larger.[109]

The eastern peripheries of Kexholm and Karelia, especially their northern and inland parts, included vast areas of uninhabited wilderness and forests. Habitation was mostly in small villages that were almost isolated by intervening woods and swampland.[110] Even the towns in these areas typically had very few inhabitants and officials—with the exception of the busy Vyborg. For example, the town of Kexholm near the eastern border of the Kingdom was a miniscule garrison town surrounded by wilderness. It was so isolated that it made an excellent place of imprisonment for politically dangerous aristocrats. This relatively poor town, with a few hundred inhabitants, did not really stand out from the surrounding countryside.[111] Districts were geographically large: in Kexholm Province, a single district judge served almost the entire area,[112] the jurisdictional districts that had common court sessions were very large and might cover several localities (*pogosts*, comparable to *socken*) that could be served by one person in the minor state posts. Some localities, particularly in the northern parts, were especially large, which made it challenging for the *starosts* (comparable to the local constables, *länsman*) and other minor officials to enforce the law. Joint court sessions meant that distances to court were great, and might exceed 50 kilometres, a regular source of complaint among the peasants.[113]

Mobility in peripheral regions, or even in the central areas, and especially within specific districts and localities has not been widely

researched. Although Ylva Stenqvist Millde's microstudy of two peripheral forest localities in Västernorrland Province suggests that the local populace was highly mobile and prepared to travel long distances if necessary, and challenges 'the myth of the isolated forest farmer', it was mainly the representatives of certain centrally located villages who travelled great distances, attending the provincial councils (*landsting*) of the area.[114] Even if the people residing in remote places sometimes travelled long distances to earn their livelihood, this does not indicate a willingness to undertake long journeys for other less vital reasons.

Nonetheless, even the central, better-connected and more densely populated areas and localities included areas of dispersed settlement, and journeys to central villages, churches and lower court sessions might be long, thereby impeding information transfer and attendance in court. One indication of this is that certain groups, especially local peasant elites and those living close to the location of the court sessions were better represented than others even within relatively small districts.[115] As mentioned, a journey of 20–30 kilometres might take a whole day, and journeys to the lower court sessions, residences of officials and churches might be equally long even in the central areas.[116] Moreover, the largely uninhabited wilderness areas in all provinces (*län*) and even near their busier and central districts[117] meant that even with an organized search operation a suicide's remains might well never be encountered. Virtually all districts had small outlying villages, and every rural locality had its backwoods far from the village centres. The case material shows that people everywhere, even in the more densely populated localities, nucleated villages and heavily used thoroughfares, had ample opportunity to find remote spots to conceal suicides (and other crimes). Distant locations, like forests and forest lakes, were used not only in the peripheral regions but also in the central and populous districts and towns.[118] Thus unrecorded suicides probably also occurred in the more central and densely populated regions, like Uppsala, Västmanland and Örebro Counties.

The possibilities for privacy, secrecy and concealment and the likelihood of a death not reaching the ears of the authorities were relatively fewer in the more densely populated villages and towns. For example, the closely delineated and relatively small towns with clustered housing and tight-knit neighbourhood communities enabled intensive supervision and usually included more officials and state establishments, allowing more rigorous informal and formal social control. The townspeople

could easily reach many of the civil servants residing or commuting to the town. Furthermore, the Town Court and the urban lower instances (*kämnärsrätt*), convened several times a *week*—as opposed to the rural districts, where the court usually sat two to four times a *year*—making it possible to investigate matters more swiftly and diminishing the probability of a disrupted flow of information or cases being 'shelved'.[119] These features were common to all early modern European urban social structures. Nonetheless, regardless of the greater number of secular officials and institutions, even in towns the effectiveness of policing and prosecution rested on the willingness of ordinary townspeople to report offences and serve in patrols.[120]

It must be pointed out that the towns in Sweden can in no way be compared to the large European metropolises of the time. With the exception of the capital, Stockholm, which had about 57,000 inhabitants by the year 1700, the towns were small. Most had a population under 2000 inhabitants, and even at the end of the seventeenth century two-thirds had fewer than 1000 inhabitants. Of the towns in the areas included in this study only Turku and Falun had a population of more than 5000, while Vyborg, Uppsala and Västerås had more than 2000 by the 1690s.[121] The proportion of urban population was not high, being about three per cent in Sweden Proper at the beginning of the seventeenth century. The proportion grew slightly, mainly as a result of the establishment of several new towns and people moving to the capital, so that by the end of the seventeenth century about ten per cent of people in the area of modern Sweden and five per cent of people in Finland resided in towns.[122] Taking into consideration these shares, the suicide cases tracked down are slightly overrepresented by comparison with the rural areas, with about ten per cent of classified cases taking place in towns or their immediate vicinity. Modern theories of the effects of urban surroundings on suicidality cannot really be invoked here, given the conditions and very small populations in towns at the time.[123] Rather, this slight overrepresentation suggests that the probability of discovery and reporting was greater in towns for the reasons cited above. Indeed, the cases show that suicides in towns had more, and relatively more often, eyewitnesses, and that someone's absence was noted very quickly.

The informal social control among the populace was more effective in the densely populated central and nucleated villages of rural localities. Put simply, surveillance of others was easier there than in the hamlets and

remote individual homes and smaller settlements that all rural localities included. The nucleated group villages, characteristic of most of Sweden Proper, were compact, with multiple houses and unrelated households sharing the same yards and wells in a cluster typically surrounded by their fields as well as lands and forests that were often in common use. The open field system as well as other agrarian duties in the surrounding pastures, meadows and forests required constant co-operation. Thus the village and its productive land was a very important community in which, as among kin groups, collectivity and symbiosis could result in very close ties—visible for example in joint festivities and in the choice of godparents for children—and in conflicts. This neighbourhood was defined by spatial proximity, lack of privacy, constant co-operation and permanent or temporary cohabitation. As in the small towns, this enabled people to keep an eye on each other, and so also afforded good opportunities for horizontal social control.[124] Nevertheless, it must be born in mind that the 'Swedish' villages were still typically miniscule hamlets compared to Western or Central European villages—only certain regions, like Dalarna in Central Sweden, were characterized by settlements comparable in size, for example, to English villages. Outside the local centres, villages typically consisted of only a couple of farms.

One indication of the different regional and local 'levels' of formal social control is the time lapse between the discovery and denunciation of a (suspected) suicide and the subsequent convening of the lower court. The speed at which information travelled depended heavily on the availability of officials, distance, weather conditions and such, and thus varied by region. In the towns and other smaller jurisdictions denunciations, the flow of information and the trials were typically swift, taking place in a matter of few days. However, in the countryside, and in particular in the larger jurisdictional districts, it usually took two to three weeks from the discovery to the convening of the lower court for the trial.[125] As noted, these sessions typically sat only two to four times a year in each jurisdictional district. The district judge or his substitute might be at the other end of his judicial district or busy with other matters. Even if the case had been reported to local officials fairly quickly, it might even take months to convene the lower court. The Northern Ostrobothnian and easternmost peripheral localities are particularly well represented among the cases in which over three months elapsed between the discovery and the judicial investigation.[126] This suggests

that in at least some of the peripheral areas, for example in Finland and in Karelia, judicial officials could not perform their duties as swiftly and efficiently as elsewhere.

As we have seen, the indictment of a suspected suicide case was a multiphase process and in order to succeed it had to overcome many obstacles. The geographical distribution of the cases and the regional differences suggest that the likelihood of surmounting impediments was connected to distance and opportunities for social control. Nevertheless, whatever the regional disparities, in practice the state and its institutions and office-holders had insufficient capability and opportunity to supervise and control the population in a realm the size of Sweden. At all turns, from the discovery of a body and the reporting of a suspected crime to the letter-carrying, issuing of summonses and arrival at the lower court sessions, the Crown and its representatives required co-operation and collaboration with the local communities, including the kin of the deceased. This scenario is in accordance with the views that have challenged interpretations of top-down control, successful disciplinary campaigns and the dominance of the state and ruling elites in early modern Europe, emphasizing instead the importance not only of co-operation but also of popular interests, social needs and personal agency in the exercise and realization of state control and operations.[127]

On the basis of recorded denunciations and what we know of the flow of information, it appears that informal social control exercised within the local communities was ultimately of vital importance in discovering and reporting suicides. Even in the more central, densely populated regions virtually the only way for officials to find out about suicides was from the rumours or reports of the local laypeople. It is still the case, of course, that the more people and the more 'traffic', the more likely were rumours and gossip and the more probable it was that an outsider with no interest in keeping the matter quiet would find out and inform the authorities. Indeed, it has been suggested that the opportunity for the authorities to find out about criminal activity was less contingent upon direct denunciations than on the spreading of rumours.[128] Suicide was such an exceptional event that it would inevitably stir up curiosity and rumour. Yet ultimately the process leading to the successful indictment of suicides depended on the motivation of local communities and the households of the deceased, the majority of whom, living predominantly in a rural environment, had the opportunity to keep the matter to themselves.

The vital role of ordinary people has been consistently underestimated in explaining criminal prosecutions.[129] It is crucial to consider the personal agency and private motives behind denunciations or accusations as well as the more shared community interests. Therefore, the question should be: what motivated people to share their suspicions with an official, or, conversely, why the household members and relatives or neighbours had an interest in covering up the suicide. One motive for reporting 'unnatural' deaths was definitely the need to allay suspicion of homicide or complicity and avoid the risk of later being prosecuted, as discussed in Chapter 2. Another explanation might be shock: relatives were not thinking clearly and sought help from neighbours and villagers, and the word got out and spread. Denunciation might also be used to take revenge on the household and kin; for example, discontented servants or neighbours might start a rumour if anything remotely suspicious was going on.[130] Moreover, at least after the Church Law of 1686 that prohibited the clergy to deal with suicides without a decision from the secular court, it might have been a matter of necessity; involving the secular officials was needed to close the matter and dispose of the corpse.

Also, it can be assumed that there was no reason not to report the suspected suicide of a stranger or a person who had disrupted the community. The influence of social status on the indictment and sentencing is further discussed in Chapter 5. Suffice it to say here that various personal interests probably lay behind denunciations, but restitution or financial gain was not among them in suicide cases, as such compensation, nor even redistributions of inheritance, were not in use in early modern Sweden.

Personal motivations aside, based on the most commonly mentioned reactions discussed in Chapter 2, there was a widespread sense that to kill oneself was wrong, which resulted in contacting officials.[131] In the religious mentality of the era, suicide was a terrible sin that could potentially arouse the wrath of God—thus, fear that God would chastise people for unpunished sins could be motivation enough to ensure that potentially sinful deaths were resolved and all sins and crimes were atoned for.[132] However, it is possible that these ideas, although promulgated by the authorities, did not gain a strong foothold in certain regions. Regardless of the strong aspirations to religious uniformity, the strict supervision and increasing popular education in the era of Lutheran Orthodoxy in Sweden,[133] the religious culture was far from homogeneous. For example, Catholic and local religious traditions and syncretistic practices

persisted, and non-attendance at church was common.[134] It has been suggested that the community's inner, informal social control and morality, at least as regards sexual morals, corresponded more to the line of the authorities in the closely delineated and compact towns than in the countryside.[135] Yet the languages, material cultures, traditions and even the religions of the people in the more recently conquered regions, such as Kexholm, often differed from those in Sweden Proper.[136] The lack of motivation to follow official practice that the private interments appearing in the sources as taking place in Karelia and Kexholm suggest unfamiliarity with the notion that God avenged unpunished wrongdoings, or even the idea of suicide as such a terrible sin.[137] Similarly, it is doubtful that, for example, the Sámi people, an indigeneous people living in the northern parts, had acculturated into this belief. There are indications that they were accustomed to dealing with the corpses of suicides.[138]

Indeed, the interplay of cultural and social elements in the indictment and in explaining the scarcity of suicide cases in certain regions cannot be overlooked. It is at times argued that crime rates and statistics, i.e. sentences passed (which obviously do not reveal the full picture of the indictment rates), should be interpreted as indicators of the exercise of state control. However, the indictment and sentencing rates, and thus the recording of various crimes, are connected to several other factors, including source survival, methods of record-keeping and classification, differences and changes in attitudes, morals and mentality, and administrative, jurisdictional and other features of the legal system. Thus regional differences in the incidence of crimes cannot, like the rates or statistics in general, be viewed as solely reflecting levels and changes in official or formal social control, nor, obviously, the real levels of certain illicit behaviour.[139]

Rising Crime Rates

The judicial material shows a clear increase in sentences passed in suicide cases investigated by secular courts during the 1680s. The material collected for this study includes mentions of only 62 cases that were sentenced for suicide during the seventeenth century before the year 1680. In turn, 142 sentenced suicide cases date to the last two decades of the century (1680–1699).[140] Although the numbers are small, it is noteworthy that they increase threefold from the 1670s to the 1680s. Other samples, including Arne Jansson's study on suicides in Stockholm, show

a similar paucity of suicide cases before the 1680s.[141] The same trend can be noted in the smaller sample of suspected suicide cases ending in acquittals. Similarly, the preserved sentence letters involving suicide-related cases sent by the Svea Court of Appeal to the provincial governors within its jurisdiction (i.e. Central and Northern Sweden) show a marked increase, especially in the latter half of the 1680s. The letters suggest that such cases were referred to the Svea Court of Appeal very rarely before the 1680s and that in the 1650s there was a complete absence of such cases—that is, no cases have been discussed, or there are no documents extant. By contrast, in the 20 years between 1681 and 1700 in total 110 cases were resolved (on average 5.5 cases per year), peaking in 1698 with 13 cases. The first decade of the eighteenth century included relatively fewer cases (36), and even the second decade did not exceed the volumes of the 1690s. After 1720, the flow of cases dwindled, when it was then decided that suicide cases no longer needed to be submitted to the Courts of Appeal for final sentencing.[142]

What, then, occurred in the 1680s? The changing numbers of convicted suicides in Sweden are most likely connected not only to source survival but also to the jurisdictional and administrative aspects related to the indictment. The population growth between 1680 and mid-1690s, an era of peace and good harvests that ended with a crisis of devastating crop failures and famine between 1695 and 1697,[143] does not alone suffice to explain the relatively high numbers. Instead, as is well known, the seventeenth century was the peak era of the 'judicial revolution' in Sweden, when the centralization of the administration of justice brought many changes in the prosecution of crimes and in law enforcement. There appears to have been a clear disconnect between the letter of the law and its enforcement before the last decades of the seventeenth century.

But firstly, a factor that contributes to the high volumes since the late seventeenth century and the virtual lacuna of court cases involving suicides, in particular before the 1660s, is source survival. Secular court records and judicial documents are very sporadically preserved before (roughly) the 1620s. As mentioned in the Introduction, the series of lower court records continue to include various gaps even thereafter. For example, the original (*koncept*) records of the lower courts predating the eighteenth century in particular in the eastern and Finnish side of the Swedish Kingdom have mostly been destroyed. Also, the copies of these made annually (*renoverade*) that were sent to the Courts of Appeal, as

well as the sentence letters sent by the Svea Court of Appeal confirming or modifying felony penalties, include major gaps, especially before the latter half of the seventeenth century. Records of felonies like suicide, and especially extraordinary court sessions where they were often investigated, were not necessarily included in the preserved series but merely forwarded to the Courts of Appeal. There was regional variation in the practices of the scribes, but studies have shown that felony cases were not systematically included, at least in various Finnish rural areas, until the 1660s.[144]

However, the low incidence of suicide cases prior to the last decades of the century, and their significant rise in the 1680s, requires more explanation than source survival. It is noteworthy that suicide cases turn up very rarely when going through records and source publications of earlier decades and centuries.[145] Moreover, Rudolf Thunander's study on criminal cases heard at the Göta Court of Appeal, in southern Sweden, shows that before 1686 only six suicide cases were sentenced in its large jurisdiction.[146] All this suggests that non-indictment of suicide cases was common before the 1680s.

One reason for the apparent absence of suicides tried in the secular courts is that the implementation of King Christopher's Law—which first criminalized self-killing in the secular judicial field in Sweden—was slow. Although its use became widespread and more common in the countryside after it was printed and officially ratified as the universal law of the kingdom in 1608,[147] it must be noted that the judiciary at the local level was largely in the hands of non-learned laymen who might be unaware of the new demands of the legislation in the early decades of the seventeenth century.[148] It is also possible that in many towns the officials were uncertain which law should be applied as the old King Magnus Eriksson's Town Law which lacked the criminalization of suicide was still in use, and continued to serve as the official statute book for Swedish towns before and after its printing in 1618.[149] The expertise and education of judges, i.e. district judges or their substitutes, the law-readers, and the burgomasters in Town Courts, varied between different regions but generally increased in particular after the middle of the seventeenth century.[150] This ensured that at least those presiding over the courts were aware of what the law stated on suicides. But even if judges knew the contents of the law early on, it must be emphasized that this did not obviously mean that the lay jurors, nor local minor officials

or especially the common people, were similarly aware that suicides were to be reported and prosecuted in the secular courts.

Most importantly, the fact that the Church stepped aside as the authority dealing with suicides and other suspicious deaths in the late seventeenth century, in particular after the Church Law of 1686 made it mandatory for the clergy to refer cases to secular courts,[151] had a major impact on the indictment rates. Similarly, when the state won the battle for jurisdiction over other types of criminal acts, the numbers and rates of these crimes grew in the latter half of the century.[152] Even if the local populace continued to turn to their vicars asking for burials, unaware or indifferent to the law on suicide, the clergy had a clear obligation to refer the matter to the secular judicial officials. No doubt the ending of the jurisdictional conflict once and for all in 1686 had a major effect on the possibilities to enforce the law on suicide, and thus explains the proliferation of suicide cases sentenced in the lower courts as of the 1680s. Indeed, the judicial documents used for this book show a clear increase in both sentenced and suspected (but acquitted) suicide since the passing of the Church Law of 1686.[153] The impact of the jurisdictional clarification is also clear when looking at the cases referred to the Göta Court of Appeal; over 80% of the suicides between 1635 and 1699 were sentenced after the passing of the Church Law.[154]

Also, the changes made in the voting rules on sentencing and on compensation for extraordinary court sessions are among the reforms related to the on-going judicial revolution that may in part explain the increased number of criminal cases sentenced as suicides beginning in the 1680s. Before 1680 the majority decision of the lay jurors became the verdict, but as of 1680 only a unanimous decision by them could override the opinion of the district judge.[155] In other words, it may have been easier for the lay jurors to acquit suicides, perhaps serving some local interests like those of the relatives, before the 1680s, whereas thereafter the opinion of the more objective and better-educated district judge was more difficult to overturn.[156] Also, the added remuneration for the lay jurors and the district judges for participating in extraordinary court sessions since 1686 may play their part.[157] It is conceivable that the involvement of financial gain accounted for the increase in indictments of suicides, which, as felonies, were often investigated in extraordinary sessions.

The indictments for certain other serious felonies and crimes resembling suicide in their moral and religious dimensions increased during

the seventeenth century. For example, the preserved judicial material indicates that it was rare for a person to be accused of bestiality before and even in the first decades of the century, whereas its prosecution increased significantly towards the end of the century, and especially from the 1680s on.[158] The same applies to some other sexual offences, namely fornication and adultery. A steep increase in their absolute and relative numbers characterizes the second half of the century, and by the end of the century sexual crimes became the most common category of crimes.[159] However, the number of those indicted and sentenced for witchcraft and magic peaked in the 1660s but then decreased from the late 1670s.[160] The proportion of these moral-religious crimes generally grew within the totality of criminal cases compared to the first half of the century.[161]

The most common explanation for these trends has been the authorities' increased control and supervision of their subjects towards the end of the century. It has been suggested that this 'disciplinary campaign' reached its climax in the mid-seventeenth century in the Nordic countries when state interests in punishing religious and moral crimes had increased because of the view espoused by officialdom that the authorities should act as the guardians of God's law and will. Although this confessionalism had already begun by the late sixteenth century, the authorities' interest in punishing sins increased as Lutheran Orthodoxy peaked during the seventeenth century. As Crown and Church co-operated, and various jurisdictional conflicts were resolved, they could together extend their authority over the local communities ever more effectively. At the same time, the general judicial revolution, especially the increasingly hierarchical supervision, professionalization and centralization of judicial administration, meant that local minor officials and clergymen could not ignore the letter of the law. The administration of justice developed gradually into a state-controlled expert justice, where the local actors and lower courts needed increasingly to comply with the interests and demands of the central authorities. Also, the rearrangement, hierarchy and centralization of power in the central, provincial and local administrations must have had an impact in the supervision of the populace and civil servants alike. Under the stricter supervision of the higher level authorities, the law-readers, bailiffs, constables and other office-holders needed to promote state interests and the 'official' moral codes on pain of disciplinary action, instead of simply mediating the needs of the community in their operations.[162] Thus the growing

volume of suicide cases, like various other moral and religious crimes, may be a sign that local officials and clergy simply became more effective, vigilant and/or motivated in investigating and prosecuting the suspected suicides they heard about, and took law enforcement more seriously.

However, as seen earlier in this chapter, the possibilities for Crown control from the top-down were subject to wide regional variation, perhaps impacting towns and certain central regions more, while the numbers and possibilities of officials and thus formal social control in practice remained relatively low in the countryside, especially the backwoods and peripheries, throughout the period in question. Similarly, for example, the decline in homicide rate that far preceded the implementation of such 'disciplining measures' does not go well together with the ideas of increasing formal social control and disciplining process.[163] As the route to indictment in suicide cases continued to depend to a great extent on the motivations of common people, who still had ample opportunities to cover up suicides, the paradigm of the 'disciplinary campaign' does not suffice to explain the significant increase in suicide cases beginning in the 1680s. I would argue that the growing number of suicide cases suggests not only that the clarification of jurisdiction resulted in more efficient prosecution of suicides but also that people in general became more active in reporting them to the officials. It is highly likely that the Church was *allowed* to handle suicides outside the secular courts and *de jure* trials before the late seventeenth century.

Firstly, it should be noted that suicides appear to have been rare, and crimes of suicide remained an extremely small proportion of criminal cases throughout the period.[164] If they were not learned in the law, it was rather only an encounter or hearsay of a suicide trial that made people aware that suicides should be reported and prosecuted. In other words, it is possible that people—including the local officials and clergy—simply became familiar with the use of formal and secular authority in these cases and started to take the official and secular routes more often. As they heard of the public trials and startling punishments enacted on suicides' corpses, awareness of the criminality and seriousness of the act grew. Travellers might spread the news of such exceptional events beyond the locality where they occurred,[165] and a parishioner's suicide could serve as a basis for sermons.[166] Increasing talk of suicide and knowledge of its criminality likely motivated people to report their suspicions to the officials.[167] Thus the 'dark figure' of crimes of suicide declined towards the end of the century as people

in general became aware and accepted that the proper instance to deal with suicides was the secular lower court.

Secondly, as already suggested, it is likely that the court cases increased because as the legislation in the 1680s stripped the Church off its jurisdictional powers to deal with suicides (and other suspicious deaths) and unequivocally ordered the clergy to turn to secular authorities in such matters, it was more necessary for the bereaved to involve secular judicial officials to get a burial or otherwise get closure on the matter.

Nevertheless, it is also possible that the motivation to denounce, indict and punish suicides with penalties exceeding those already set by the Church generally grew due to the increased religious education and the austere religious atmosphere of the era of Lutheran Orthodoxy and Swedish confessionalism. Notions of the dangerous consequences of failure to punish sins and God's subsequent wrath may have gained more ground via education and sermons, motivating people to expose suspicious deaths of all kinds to avoid divine retribution such as bad weather and crop failures.[168] This was no new concept,[169] but the authorities preached and taught these views more vigorously, churchgoing was monitored more and education and popular knowledge of at least the basic tenets of Christianity grew in the course of the seventeenth century.[170] Perhaps this inspired at least some of the most devout to keep a closer eye on their fellows, and report sinful acts further. This is not to say that a homogeneous religious mentality existed, nor that the communal moral codes generally transformed and the populace acculturated into the set of norms and morals imposed on them top-down. Rather, some community members, and especially the clergy, found more interest in taking to court such moral-religious matters that had no actual plaintiff or victim. As in the case of fornication and even adultery and bestiality, it is possible that suicides were long considered matters that could be dealt with privately or within the kinship group or parish. As long as the act was considered unlikely to cause too many problems in the community, even a criminal act might be overlooked. Informal or ecclesiastical punishments were often regarded as sufficient for many sexual and other moral transgressions,[171] among which suicide might well be categorized. In short, it may well only have been the mode and form of punishment that changed as more officials, clergymen and community members ceased to consider the ecclesiastical and possible supplementary informal punishments sufficient.

It is noteworthy that the great crop failures and famine of the late 1690s were not only considered God's punishments for sinning,[172] but the period was also accompanied by a peak in suicide cases in Sweden. No other four-year period in the sample includes as many suicides as the years between 1695 and 1698, peaking in the last year, 1698, when the worst was over.[173] It has been noted that in some other early modern European regions reported suicides increased in individual crisis years or periods of hardship.[174] In earlier times typical responses to famine included an intensification of religious practice and ritual as well as a search for scapegoats.[175] David Lederer has shown that in Bavaria reports of suicides (as well as witchcraft and demonic possessions) surged during the era of general crisis between 1611 and 1635, suggesting that the recurrent crop failures and plagues of this period instigated the widespread prosecution—or persecution—of individuals believed to be responsible for diabolic acts, which, as insults to God, were considered the cause of the troubles.[176] However, the suicides in the bad years between 1694 up to 1698 in Sweden were largely connected to the personal and economic hardships due to crop failures, epidemics and deaths in the family, and there is no clear evidence of an increase in denunciations in response to local calamities, nor of strong links between indictment peaks and other years of local or more widespread adversities in Sweden.[177] Altogether, this alone cannot explain the increased volume of suicide cases in the 1680s, or more generally between 1680 and 1700, as the period was not notably worse for calamities and hardships than many earlier decades. In fact, the 1680s and the early 1690s were exceptionally favourable times with good harvests and peace in Sweden. The constant warfare had finally ceased, crop failures were minor or very local and there were no major epidemics or popular disturbances. A few decades later people remembered the 1680s as a peaceful and pleasant decade.[178] It has also been suggested that acute 'national' crises, such as wars, tend to suppress suicide rates, perhaps due to people pulling together and an increased sense of belongingness.[179] However, the Swedish material offers no support for this, as the devastating years of the Great Northern War (1700–1721), in particular the 1710s, were accompanied by great numbers of suicides.

It must be emphasized that although the suicide crime rates, i.e. cases sentenced as crimes of suicide, grew, there is no reliable evidence that suicidality itself, or the suicide rate, increased. The 'dark figure' of crime

in this case includes disappearances and suicides acquitted, concealed, classified as accidents and dealt with outside secular courtrooms as well as an unknown number of cases whose documentation has been lost. No crime rates can be taken as given or as indicators of the level of activities taking place; instead, it is necessary to problematize factors related to the indictment, and, in particular, regional, temporal, jurisdictional and administrative differences and changes influencing the prosecution as well as sentencing, and thus, crime rates. As seen, it was most likely specifically the jurisdictional change in dealing with suicides that caused the rise in the suicide crime rates in the 1680s in Sweden.

Some scholars have suggested that suicide—as a phenomenon—became less and less exceptional towards the eighteenth century in certain European regions, including the canton of Zurich, England, and even Stockholm.[180] However, most historians of suicide have accepted that there is no valid evidence for concluding that the suicide rate rose during early modern times, nor for reconstructing accurate or reliable suicide rates. In general, there are strong indications of under-registration of suicides in early modern Europe.[181] As elsewhere, the early Swedish material is too sparse and fragmentary to draw any conclusions on the suicide rate. Certainly, the very lack of precise population figures renders any calculations shaky. And as we have seen, the route to indictment included various risks and possible pitfalls that could result in the case never ending up in judicial (or other) records or in the surviving documents. This also means that there is simply insufficient information to argue that suicide as a phenomenon was more or less common in any early modern period than in later times. It is possible that the incidence of suicide has remained fairly consistent throughout history, and that what changed significantly is the incidence of concealment.[182] As shown by Michael MacDonald and Terence R. Murphy in their classic study on the field, in early modern England the fluctuations in the volume of reports and inquisitions, not to mention sentences passed on suicides, have more to do with the changing attitudes and official and popular interests than with the actual level of suicidality among the population.[183] Indeed, existing records of suicide as well as death registers and later statistics are ultimately products of their time and tell use more about changes in the (judicial and official) treatment of the act and the methods of classifying causes of death than the frequency of the act itself.[184]

Notes

1. Except, briefly, concerning bestiality Liliequist (1992), rape Jansson (2002, 37–39), other sexual offences Aalto (1996), and crimes of witchcraft and magic Eilola (2003), Nenonen (1992). In addition, the indictment of drownings in early eighteenth-century Skåne has been discussed by Bodil E.B. Persson (1998).
2. Except concerning sixteenth-century England, see Stevenson (1987a).
3. For example, National Archives of Finland (KA): Collection of renoverade domböcker (RT) Ostrobothnia KO a 11: 257v–8 and 260v, Kokkola 23 February and 15 June 1663; National Archives of Sweden (RA): Svea Hovrätts Arkiv (SHA) Västernorrlands län (VN) 12b: 746–54, Nätra 12 May 1690; KA: RT Ylä-Satakunta (YS) KO a 75 and KO a 77: 92– and 1142v, Orivesi and Kuorevesi (1755) and (1756) (a woman missing since 1754). See also Luef (2016, 95–96, esp. footnotes 322, 323).
4. Nygård (1994, 59–60).
5. For example, in Nora in 1713 Anna Olofsdotter had explicitly stated that she went to the woods to kill herself, and, while injured, even refused the help of her discoverers who wanted to take her home, because she feared that the farm would become tainted with misfortune (Luef and Miettinen 2012, 108).
6. For example, bodies carried far by water: KA: RT Vehmaa & Ala-Satakunta (VA) KO a 4: 406–9v, Kokemäki 16 July 1675; Provincial Archives of Uppsala (ULA): Faluns rådhusrätts arkiv A I a: 14, n.p., Falun 25 March 1684; ULA: Kopparbergs läns häradsrättsarkiv (KLHA) X, A I: 2, 74–76v, Torsång 16 July 1691; ULA: KLHA X, A I: 2, 84–85, Stora Kopparberg 2 October 1691; RA: SHA Västernorrlands län (VN) 15a: 209v–13, Säbrå 17 May 1698; RA: SHA Västmanlands län (VM) 42a, 177–8v, Norbärgby 21 May 1698. Eaten by fish: RA: Justitierevisionen, Åbo hovrätts arbetsberättelser 1665–1667 (1669): n.p. Turku 18 April 1665; RA: SHA Upplands län (U) 49b: 919v–22v, Närdinghundra 14 July 1689.
7. A number of cases show clear precautions against rescue and discovery. KA: RT Jääski, Lappee, Ranta & Äyräpää (JLRÄ) KO a 7: 72–74, Lapvesi 22–25 May 1665; Nurmo/Lapua & Nykarleby in Karlborg County 1663 presented in Mäntylä 1969, 123–25; RA: SHA Stockholms län (S) 4b: 599–601v, Öregrund 18 June 1686; RA: SHA VN 11: 234v–7, Anundsjö 29 September 1689; RA: SHA S 5: 177v–8v, Fährentuna 3 October 1695; KA: RT VA KO a 7: 210–20, Ulvila 12 September 1696; KA: RT Kymenkartano & Lappee KO a 17: 68–76, Virolahti 10 March 1700.

8. Seasonality of suicides is relatively easy to trace as the documents record the exact date of the suicide if known, include an estimated time of suicide or disappearance or, at the very minimum, mentions the season when the suicide or the disappearance took place.
9. For example, in early modern England suicides likewise peaked in spring and early summer, especially in May and June. Between 1485 and 1715 nearly 44% of suicides were committed between April and July (MacDonald and Murphy 1990, 313). Similarly, in early modern Schleswig and Holstein people favoured the late spring and summer months (Lind 1999, 322). In medieval France March and April were the peak months which, according to Schmitt, might have had something to do with bodily weakness after Lenten fasting (Schmitt 1976).
10. For example, in Finland in the past four decades suicide mortality has peaked during the period with the longest length of day, from May until the end of July. See Hiltunen et al. (2011). On continuities and similarities in modern suicide mortality peaks, see Chew and McCleary (1995), Durkheim (1985 [1897], 102–17), Hiltunen et al. (2011), Nygård (1994, 41–42), Saelan (1983 [1864], 13–14).
11. For example, KA: RT JLRÄ KO a 7: 72–74, Lapvesi 22–25 May 1665; ULA: Faluns rådhusrätts arkiv A I a: 14, n.p., Falun rr 25 March 1684; KA: RT Northern Ostrobothnia (NO) KO a 9: 235–38, Kemi 22–23 February 1689; KA: RT VA II KO a 7: 210–20, Ulvila 12 September 1696. Eaten by animals: RA: Justitierevisionen, Åbo hovrätts arbetsberättelser 1665–1667, 1669: n.p. Turku 18 April 1665; KA: RT Kexholm KO a 4: 137–37v, Kitee 27–29 August 1683; RA: SHA U 49b: 919v–22v, Närdinghundra 14 July 1689.
12. For example, an unidentified man was found drowned and, due to the lack of any information, simply buried in Njurunda 15 November 1652, presented in Hellbom (1982, 192). Cf. bones and remains recognized because of the gun and pieces of clothing: KA: RT VA II KO a 7: 210–20, Ulvila 12 September 1696.
13. RA: SHA B III b 1: 2, 109–11, Grimsten 6 May 1695 and ULA: Grimstens häradsrätts arkiv A I: 2, n.p., Grimsten 27 February 1695. Other possible cover up attempts: KA: RT Kexholm KO a 3: 1128v–29, Rautu 14–15 July 1663; KA: RT JLRÄ KO a 7: 72–74, Lapvesi 22–25 May 1665; KA: RT Kymenkartano KO a 2: 320v–21, Vehkalahti & Valkeala 8–9 January 1672; KA: RT Jääski, Ranta & Äyräpää (JRÄ) II KO a 4: 151–52, Jääski 14–17 February 1688; KA: RT YS KO a 17: 529–31v, Huittinen 27 March 1697; Landsarkivet i Härnösand (HLA): Gävleborgs länsstyrelses arkiv, Landskansliet DIIa 12: 373–4v, Stödesjö 15 December 1704. For cases that were possibly cover-ups but were later classified as accidents in the lower court: KA: RT Ostrobothnia KO

a 11: 784–88, Kruunupyy 8 December 1665; KA: RT Pien-Savo KO a 8: 205–9, Rantasalmi 17 November 1698. Cases in which the clergy had dealt with suicides without involving secular courts of law are discussed later in this chapter.

14. KA: RT Kexholm KO a 3: 1128v–29, Rautu 14–15 July 1663.
15. KA: RT JLRÄ KO a 7: 72–74, Lapvesi 22–25 May 1665.
16. KA: RT Kymenkartano län KO a 2: 320v–21, Vehkalahti & Valkeala 8–9 January 1672.
17. KA: RT JRÄ II KO a 4: 151–52, Jääski 14–17 February 1688.
18. HLA: Gävleborgs länsstyrelses arkiv, Landskansliet DIIa 12: 373–4v, Stödesjö 15 December 1704.
19. E.g. *Kyrkolag* (1686, Cap. XVIII. §IV).
20. HLA: Gävleborgs länsstyrelse arkiv, Landskansliet DIIa 7; Anundsjö 29 April 1686. See also Luef (2016, 147), Luef and Miettinen (2012, 107). The Sámi are an indigenous people inhabiting large parts of northern Sweden, Norway and Finland. There are indications that at least in northern Västernorrland the Sámi were accustomed to dealing with the corpses of suicides; for example, the lower court of Undersåker sentenced a hanged Sámi to be taken down and buried in the woods by his fellow Sámi 'as customary' among them. HLA: Gävleborgs länsstyrelses arkiv, Landskansliet DIIa 11: 45–v, Undersåker 22 August 1701.
21. Royal Council letter to Svea Court of Appeal 16 June 1710 in Abrahamsson (1726, 727).
22. See also Luef (2016, 96). Similar e.g. in early modern Scotland, see Houston (2010, 80).
23. Persson (1998, 134–37). Also, based on various comparisons between drownings recorded in the Church burial registers (in Finnish parish records, digitalized in *Historiakirjat*) and the respective lower court records by the author.
24. E.g. KA: RT Ala-Satakunta (AS) KO a 1a: 440–3v, Eurajoki 17–18 September 1683; ULA: KLHA III A I: 27, 11–12, Skedvi 3 May 1686; ULA: KLHA IV A I: 5, 1–2v, Leksand 25 February 1688; ULA: Kopparbergs länsttyrelses arkiv (KLA) D II 14, Leksand 30 March 1688; KA: RT VA II KO a 7: 210–20, Ulvila 12 September 1696; ULA: Uppsala länsstyrelsens arkiv, Landskansliet (ULL) D II d: 36, Åker & Riala skeppslag 1 April 1695; RA: SHA Kopparbergs län (K) 36a: 449v–56v, Grytnäs 27 May 1697; Njurunda 15 November 1652 presented in Hellbom (1982, 192).
25. Njurunda 1 October 1687 and 27 April 1688 presented in Hellbom (1983, 210–11, 233–35). Similarly, the discovery of the bones of a man who had been missing for a long time led to careful investigations, after which he was sentenced for suicide. KA: RT VA KO a 7: 210–20, Ulvila

12 September 1696. Cf. the body of an unknown man found but after waiting for almost a year with no one knowing the identity nor cause of death the investigation was further postponed. KA: RT JLRÄ KO a 12, 59–62, Jääski 15–16t June 1672.

26. Also in cases of bestiality, see Liliequist (1992, esp. 37–43), magic and witchcraft, see Eilola (2003), Nenonen (1992), and illicit sexual relations, see Aalto (1996, 201–2). The community's central role in the indictment of suicides in medieval Western Europe, see Murray (2000, 467–69). Similarly, apprehending and prosecuting murder suspects depended on people passing information to law officers in early modern England, see Gaskill (2000, Chapter 7).
27. Aronsson (1992, 23–28, 244–47), Jarrick and Söderberg (1998, 235), Karonen and Hakanen (2017), Sundin (1996, esp. 176). For a discussion on people's ample opportunities to circumvent the courts or other formal institutions when settling conflicts elsewhere in early modern Europe, see Dinges (2004), Roodenburg (2004, 146–49), Ruff (2001, 85–86, 91–92, passim).
28. King Christopher's Law of 1442 (*Konung Christoffers Landslag*, henceforth referred to as KRLL 1442), Section of the King, Cap. 36.
29. KRLL 1442, Section of the King, Cap. 35; Asker (2004), Furuhagen (2009, 14–15), Koskinen (2016, 9–11).
30. For example, the constable's and bailiff's subordinates and clerks, like *rättare*, *profoss*, *brofogde*, *sockneskrifvare*.
31. Jutikkala (1958, 178), Ylikangas (1996, 106–7). On policing in early modern Sweden, see Kotkas (2013, esp. 48–54, 95–123).
32. Tamm et al. (2000, 49).
33. Furuhagen (2009, 15).
34. Aalto (1996, 160–61), Soikkanen (1966, 60–63), Sundin (1982, 55, 57–61, 76–77).
35. Karonen (1994; 1995, 38–40, 84–95, 116–19), Ranta (1981, 77–80, 92–94, 139–44), Kotkas (2013, 103), Tamm et al. (2000, 49). On mayors in early modern Swedish towns, see Karonen (2017).
36. Inger (1980, 49), Karonen (1995, 21), Ranta (1981, 78–80), Rautala (1985, 80).
37. Karonen (2007, 324–25).
38. Karonen (1995, 100–4, 144).
39. Similarly, people in early modern England were conscious of the danger of attracting suspicion if they did not raise the alarm and contact the coroner in possible homicide cases, see Gaskill (2000, 250).
40. RA: SHA U 49a: 292v–5v, Hagunda 22–27 June 1689. For another example, see RA: SHA U 68b: 1221–23v, Danderyd 13 April 1701.

41. Only the clergy contacted, for example, in KA: RT Kymenkartano län KO a 2: 269v, Elimäki 26–27 September 1670; KA: RT Barony of Kajaani KO a 2: 110–12, Sotkamo 8 April 1680; KA: RT JRÄ II KO a 4: 151–52, Jääski 14–17 February 1688; RA: SHA Gävleborgs län (G) 36a: 350–56, Ovansjö 4 May 1689; RA: SHA U 49a: 292v–5v, Hagunda 22–27 June 1689 and 54b: 1106–14v, Närdinghundra 23 June 1692; ULA: Åsunda häradsrätts arkiv A I: 2, Tillinge 21 March 1695; RA: SHA K 36a: 449v–56v, Grytnäs 27 May 1697; KA: RT Pien-Savo KO a 8: 205–9, Rantasalmi 17 November 1698; RA: SHA VN 16: 206–7v, Tuna 7 May 1699; KA: RT NO KO a 21: 1077–84, Liminka 12 June 1700.
42. Similarly, the local clergy had the opportunity to decide which cases involving illicit sexual relations and illegitimate children they referred to the secular courts (Aalto 1996, 173).
43. *Kyrkoordning* (1571) (in *Laurentius Petris Kyrkoordning av år 1571*, 1932, 136).
44. Pihlajamäki (2006, 198–99), Österberg et al. (2000, 247–51). For offences and their penalties in ecclesiastical legislation, see Schultzberg (1992).
45. Rimpiläinen (1971, 277). In turn, the statutes passed in 1619 for the diocese of Växjö in southern Sweden mention that sane suicides were to be cast out without ceremony in the infamous location where other people unworthy to rest in consecrated ground were interred. The same was stipulated in the nearby diocese of Kalmar (Rimpiläinen 1971, 276).
46. Rimpiläinen (1971, 275–76). The case is presented in Hall (1928, 75).
47. *Perbreves Commonitiones 1673* in Lagus (1836, 244–45).
48. For example, ULA: Uppsala Domkapitelts arkiv I (UDA) A I: 2, 14 June 1638; A I: 3, 4 June 1644; A I: 5, 1 March 1665. In Stockholm chapter/consistory, see Murray (1949, 184–85) and for more cases, see Jansson (1998, 177) (Appendix 3). However, the chapter of Västerås (in Kopparberg) had permitted a burial of a sane suicide inside the churchyard in 1646. Mentioned in ULA: Kopparbergs länsstyrelsens arkiv (KLA) D II: 2, Hedemora 3 June 1646.
49. For example, ULA: UDA A I: 2, 16 August 1640; A I: 2, 26 October 1642; A I: 4, 7 January 1654; A I: 8, 23 February 1676; A I: 8, 5 September 1677. Varying guidelines and practices in different dioceses, see Hall (1928, 75), Murray (1949, 184–85), Rimpiläinen (1971, 255–77). In 1657 the chapter of Linköping allowed a burial in a remote location for an 11-year-old suicide (Rimpiläinen 1971, 276).
50. Except ULA: UDA A I: 6, 165, 19 September 1667 (Uppsala chapter referred a case to the secular court).

51. For example, the clergy proposed in the Diet of 1682 that suicides and burials should belong under ecclesiastical jurisdiction and be resolved in the chapters. *Prästeståndets förslag till kyrko-ordning* (1682, 109). Similar discussions over jurisdiction over burials and suicides were going on in continental Europe and resolved during the early eighteenth century. See Koslofsky (2001, 45–53), Kästner (2012, 168–78).
52. Salonen (2009, 108).
53. For example, a suicide had been buried inside the churchyard without ceremonies by the vicar acting on the written permission of the dean. KA: RT Kymenkartano KO a 2: 269v, Elimäki 26–27 September 1670. For more cases, see Bergstrand (1976, 12–13), Odén (1999, 176), Thunander (1996, 3).
54. The chapter of Västerås (in Kopparberg) had permitted a burial of a sane suicide inside the churchyard. The case was taken up by the lower court and the corpse sentenced to be dug up, taken to the woods and burnt there as stated in the law. ULA: KLA D II: 2, Hedemora 3 June 1646. See also the cases from the previous note.
55. The clergy began to include notes on the causes of deaths in the parish burial registers in the last decades of the seventeenth century, and in general, burial registers have been sporadically compiled and preserved. The preserved correspondence between deans, bishops and vicars is very scant. Suicides dealt with by the Church left traces in the preserved documents mainly if they were taken up to the cathedral chapters.
56. Case presented in Jansson (2004, 90–91), Ohlander (1986a, 40–41), Thunander (1996, 3–4). Hammarinus' attempts to regain office rejected e.g. ULA: UDA A I: 6 (p. 2), 25 October 1665.
57. See Lukkanen (2008, 71–76).
58. RA: SHA VN 16: 206–7v, Tuna 7 May 1699.
59. KRLL 1442, Section of the King, Cap. 35; Section on judicature, Cap. 5 and 7.
60. This is the only known case in which a Crown servant refused to pass on information about a suicide to a judge: KA: RT JLRÄ KO a 13: 363–72, Vyborg 22 May 1673. However, there are many other examples of malpractice among the law-readers and judges. See Matikainen (2017).
61. Liliequist (1992, 42–43). Similarily, a mere rumour or heresay rarely led to at least convictions in magic or witchcraft cases, see Eilola (2003), Nenonen (1992). On the discretion allowed in prosecuting cases based on hearsay and rumours, or on the lack of evidence, see Instructions to Judges from 1545 in Petri (1545 [1987], Cap. 27, 29, 30, 33).
62. The unwillingness of the sixth men (position of trust in the parish) to report their familiars is noted at least in the case of fornication and illegitimate children, see Aalto (1996, 172–73).

63. However, corruption among bailiffs was rarely encountered. Hakanen (2017). Cf. corruption related to murder inquests in early modern England, Gaskill (2000, 247–48).
64. The interests of the local elites, such as wealthy freeholders and officials, were not necessarily the same, nor were they necessarily congruent with Crown interests or those of other groups in the locality. See for example Koskinen (2016), Lukkanen (2008, Chapter 4).
65. KRLL 1442, Judicature Section, Cap. 4; Schmedeman (1706, 316–18), Matinolli (1971, 13). No extra payments for local constables, see Ylikangas (1996). Ordinance passed in 1686, see Schmedeman (1706, 1083–84). Cf. in early modern England, the coroner received an extra fee for every homicide verdict, including the verdicts of sane (*felo de se*) suicides, that they returned. See Gaskill (2000, 246), MacDonald and Murphy (1990, 24).
66. For example, due to lost correspondence between the Turku Court of Appeal and the local officials, a suicide had remained hanging in her sauna for six years. KA: RT NO KO a 3: 163–64, Liminka 9–12 February 1683.
67. Evident in the lower court records that have survived from Finland and other eastern areas during the Great Famine of Finland 1695–1697 and during the Great Northern War. The administrative structures were ill-equipped to handle crises. See Lappalainen (2012). For example, the Russo-Swedish War between 1656 and 1658 impeded judicature in Kexholm and on the eastern frontier. Katajala et al. (2010, 365–76). Also, epidemics and vacant offices hampered judicature. Sundin (1992, 18, 75).
68. KRLL 1442, Judicature Section; Instructions to Judges from 1545 in Petri (1545 [1987], Cap. 35), Domareregler c. (1611) in Almquist (1951, 52–53), Ylikangas (1988, 54–57).
69. KRLL 1442, Judicature Section, Cap. 17, 18; Schmedeman (1706, 834), Ylikangas (1996, 86–90).
70. Karonen (1995, 142–44).
71. Public summons, for example in RA: SHA K 23b: 892–99, Husby 14 February 1687. In principle, the district judge was to publically announce the date of the next lower court sessions. KRLL 1442, Judicature Section, Cap. 5–8. Official announcements and matters were informed in local, public meetings and at the Church. See Laine (1997, 294–95).
72. Visible for example in ULA: Trögds häradsrätts arkiv A I: 1: 219v–20v, Trögd 14 July 1684 and Njurunda 1 October 1687 in Hellbom (1983, 210–11).
73. MacDonald and Murphy (1990, 223).

74. Rålamb (1674, 112–13). The case material also mentions no penalties for absent witnesses. Yet, matters related to sueing a defendant and the penalties of the defendant's absence were carefully stipulated (Letto-Vanamo 1991, 37–38).
75. KRLL 1442, Judicature Section, Cap. 12 § 1, Cap. 20, Cap. 21. Cf. in older provincial laws, Letto-Vanamo (1995, 61–70).
76. KRLL 1442, Judicature Section, Cap. 14, Rålamb (1674, 109).
77. Karonen (1995, 142–44), Ylikangas (1996, 106). For example, RA: SHA U 49a: 295, Hagunda 22–27 June 1689 and KA: RT JLRÄ KO a 13: 368–69, Vyborg 22 May 1673.
78. There are several suicide cases in the material in which the kin had relevant information but for some reason did not go to the trial, for example, KA: RT NO KO a 12: 301v–2, Ii 25–27 February 1669 and 719v–23, Kokkola 8 July 1671; KO a 9: 235–38, Kemi 22–23 February 1689 and 182–83, Pyhäjoki 29–31 August 1689; and KO a 13: 91–94, Sotkamo 10 August 1692; ULA: KLHA III A I: 15, 98–v, Skedvi 30 July 1672 and KLHA X A I: 1, 109–v, Tuna 23 September 1689; KA: RT JLRÄ KO a 15: 324v–5, Äyräpää 25–27 February 1675; ULA: Västmanlands läns domstolarkiv, Köping A I: 6, 28–31, Köping 18 February 1685; RA: SHA U 51: 519–20, Trögd 22–27 September 1690; RA: SHA K 30a: 560–62, Sundborn 22 May 1694; ULA: Faluns rr och mag. arkiv A Ia: 18, Falun 14/15 April 1697; KA: RT VA II KO a 14: 384–406, Vehmaa & Lokalahti 12–13 March 1700. For cases of suspected illicit relations in which key witnesses were unwilling to give testimony because of fear of the defendants who were nobles or other powerful locals, see Aalto (1996, 164).
79. Villstrand (2011, 390–98, 414–15, 423–26, passim). In Kopparberg (Dalarna), see Friberg (1954). In Västmanland Province, see Gaunt (1978, 72–73). Economic differences and sources of livelihood in early modern Sweden, see Heckscher (1935).
80. Here, and from now on, information of the sizes of the jurisdictional or lower court districts (*härad/tingslag*) in Sweden is based on Almquist (1954) and Trolle Önnerfors 1996–2007; in Finland and the east on Jutikkala (1959, 29–31).
81. For a map of major roads in Finland, see Haapala and Toivo (2007, 91). Also, S. J. Stevenson has noted that in sixteenth-century England reported cases of suicide and accidental death were concentrated around major roads. See Stevenson (1987a, 52, 57–58).
82. See Chapter 1 for introduction and Map 1.1. For example, only six suicide cases were investigated in the lower courts in Pien-Savo in eastern Finland during the seventeenth century, with nearly all taking place in localities along important roads. Many thanks to Miia Kuha for pointing these cases out to me.

83. On the concept of social control, referring to the organized practices, measures and responses to deviant behaviour: (official or) formal by the institutions of formal control, i.e. the state and the authorities and their officials, informal within the local communities, see Roodenburg and Spierenburg (2004), Innes (2003), Österberg (1991, 21), Österberg et al. (2000).
84. Katajala et al. (2010, 59–61, 245), Partanen (2011, 134).
85. Mäkelä (1989, esp. 87–93), Pylkkänen (1990, esp. 213,) Toivo (2008, 85–86).
86. Stevenson (1987a, 50–57, 60).
87. On rural localities (*socken* with at least one local constable, *länsman*) in Sweden, see Almquist (1954), in Finland see Jutikkala (1959, 29–31). On the sizes of the jurisdictional districts of judges (*domsaga*) in Sweden, see Almquist (1954); in Finland and the east, see Haapala and Toivo (2007, 133), Holmberg (1959, 8–18, 25–29, 36–40, 45–48). On the concentration of most offices within certain central villages and individuals within one rural locality, see Stenqvist Millde (2007, 222–34, 259).
88. Jansson (1998, 37).
89. Viikki (1973, 26), Heino (1987, 196), Piilahti (2009, 203–5).
90. Jokipii (1956, 95–156, passim), Karonen (2008, 261–62). For a map of the baronies and counties in Finland, see Jutikkala (1959, 38–39). On the agency and operational environments of local minor office-holders in the County of Pori in Southwestern Finland, see Haikari (2009, 2017).
91. See Hakanen (2011, esp. 207–8) about the trips of the bailiff and constable of the Barony of Kajaani. Generally, on the personal agency of various officials in early modern Sweden, see Karonen and Hakanen (2017), incl. bailiffs: Hakanen (2017).
92. Simonsson (1999, 148–50, 237–39). See also Stenqvist Millde (2007, 179–84). The most central and intensive contacts of rural peasants were within a 10 kilometre radius of his home (Piilahti 2009, 215).
93. Nenonen (1999, 274–76).
94. Einonen (2011), Haikari (2009), Hakanen (2011).
95. Matikainen (2002, 169–70), Nenonen (1992, 337). Large jurisdictional districts (*härad*) in the eastern research areas, see Holmberg (1959, 8–9, 36, 47), Jutikkala (1959, 31). For example, insurmountable difficulties to get a woman and a married soldier who had had an illegitimate child seven years ago to appear in court: KA: RT JLRÄ KO a 11: 17–18, Lapvesi 20–21 January 1670.
96. For example, in northern Kexholm, see Saloheimo (1976, 92–96, 231–34, 275, 307). On slow and risky travelling in inland and eastern

Finland, see Nenonen (1999, 196, 207–15, 249–52, 274–76, 328–32). Most journeys were undertaken during winter and summer, because ice and open water were the best surfaces for travelling. Stenqvist Millde (2007, 36–39, 179–84).

97. On farmers' tasks each month in early modern Sweden, see Myrdal (1999, 275–76).
98. Saloheimo (1976, 275). Long distances and agrarian duties were even an obstacle to churchgoing, and in part led to temporary and more or less 'private' burials, for example in eastern Finland, see Kuha (2012, 6, 8–10; 2014).
99. The hanged woman had been found in early May but her corpse had later fallen down and had been largely eaten by animals. The relatives had buried the remaining pieces of skirt and hair before the case was discussed in August. KA: RT Kexholm KO a 4: 137–v, Kitee 27–29 August 1683.
100. E.g. HLA: Gävleborgs länsstyrelse arkiv, Landskansliet DIIa 7; Anundsjö 29 April 1686 and DIIa 12: 373–4v, Stödesjö 15 December 1704.
101. On the considerable traffic on the major roads, see Nenonen (1999, 167–233, passim).
102. Comprehensive research on the roads in Sweden has not been conducted, but on roads in Västernorrland, see Friberg (1951), Nykvist and Öberg (2001), Sundberg and Gagge (2000). For a map of the busy mining localities in Central Sweden, see Villstrand (2011, 414–15).
103. For a map of seventeenth-century roads in Finland, see Haapala and Toivo (2007, 91), Nenonen (1999, 196).
104. Kotkas (2013, 152). For a map of the seventeenth-century postal routes in Finland, see Haapala and Toivo (2007, 91), Nenonen (1999, 196). On letters as a means of governing and supervision, see Einonen (2011), Haikari (2009, 53, passim), Hakanen (2011, 207–9).
105. Virrankoski (1973, 1985). For a map of the seventeenth-century administrative and jurisdictional areas of Northern Ostrobothnia, see Jutikkala (1959, 30).
106. Before 1648 the entire area of Ostrobothnia, including its southern half, formed a single *domsaga*, which was most of the time attended by one judge, or in practice his substitute *lagläsare*. Since 1648 Northern Ostrobothnia had been a separate *domsaga*, served by a single judge or his substitute. Only the baronies of Kajaani and Hailuoto had their own judges serving for some years in the latter half of the century. After 1680 a single district judge took care of the judicature in the entire region. Blomstedt (1958, 248–49, 286–88, 294–95), Holmberg (1959, 16, 38–39), Virrankoski (1973, 580–82).

107. Haapala and Toivo (2007, 91), Nenonen (1999, 14–17, 169–74, 178, 233–35).
108. Especially Jämtland, acquired from the Dano-Norwegian Realm in 1645 and part of Västernorrland Province since 1654. See Sörlin (1995). Inland Västernorrland, see Stenqvist Millde (2007, 36, 62–63). On the population of Kopparberg, see Friberg (1954). On roads and traffic in Västernorrland, see Friberg (1951), Nykvist and Öberg (2001), Stenqvist Millde (2007, esp. Chapters 6 and 7), Sundberg and Gagge (2000).
109. On the districts of judges (*domsaga*) and jurisdictional districts (*härad/tingslag*) in Kopparberg, see Almquist (1954, 160–69), Engström (1929, 113–19, 138–41). On the population in seventeenth-century Kopparberg, see Friberg (1954). For a map of the *bergslag* in Sweden, see Villstrand (2011, 414–15).
110. Katajala et al. (2010, 56–64, passim), Lappalainen (2012, 39, 70–71), Nenonen (1999, 212–15, 249–52), Saloheimo (1976, 275).
111. Gullberg and Huhtamies (2005, 30–32, 132–34), Lappalainen (2006, 48–68).
112. Except the northernmost *hundred* of Pielisjärvi that was a part of the Barony of Kajaani (Katajala 2005, 25).
113. Gullberg and Huhtamies (2005, 33–34, 87), Katajala (2005, 17, 22–25), Kuujo (1963, 24–29), Saloheimo (1976, 92–96, 304–8). Maps, see Jutikkala (1959, 21, 38–39), Katajala et al. (2010, 243), Matikainen (2002, 35).
114. Stenqvist Millde (2007, esp. 222–34, 259–60).
115. Simonsson (1999, 2001).
116. For example, in Huittinen, a relatively central rural district in Southwestern Finland, long journeys to church caused discontent. Journeys to the court sessions from many corners of the district were similarly long (Viikki 1973, 331–32, 422–23).
117. Some examples: In Askers jurisdictional district, including three localities (*socken*) near the town of Örebro, the southern part was a forest area (Andersson 1998, 41). Also in Torstuna, a locality in Västmanland Province, north of the town of Enköping, see Simonsson (1999). In four villages in different parts of Sweden, see Myrdal (1999, 261–70). Many Finnish migrants moving to Central Sweden and clearing hinterlands for cultivation resided far from the rural locality centres. See Bladh and Wedin (2006).
118. People committed suicide in forests even in the densely populated localities, such as in Sala, Siende, Ihresta (Irsta), Håbo, Garpenberg, Glanshammar and Ulvila. Also, some of the townspeople were able to find hidden locations: KA: RT Turku RO z: 25, 97–98, Turku 15 and

16 April 1656; RA: SHA S 4b: 599–601v, Öregrund 18 June 1686; RA: SHA Västerås 3: 695–96, Sala 14 May 1687; RA: SHA K 23a: 314v–23, Hedemora 18–20 July 1687; ULA: Västmanlands länsstyrelses arkiv, Landskansliet D I: 27, Sala 9 September 1691.

119. Karonen (1995, 100–4; 1998, 222, 235–36), Sundin (1992, 489–90). Cf. it has been claimed that social control may have been more lax in the larger and more populous urban areas, like Stockholm. See e.g. Jarrick and Söderberg (1998). Town officials in seventeenth-century Sweden, see Karonen (1995, 38–40, 84–95, 116–19), Ranta (1981, 77–80, 92–94), Kotkas (2013, 103), Tamm et al. (2000, 49). Suicides investigated in the urban lower instances, or lower town courts, at times called Treasurer's courts, for example, KA: RT Turku RO z: 25, 97–98, Turku 15 and 16 April 1656; KA: RT Helsinki (kämnärsrätt) g 109: 73–77, Helsinki 27 June 1701.
120. For example, Hoffmann (2004), Ruff (2001, 91–92).
121. Haapala and Toivo (2007, 101), Villstrand (2011, 423). In the 1690s the population in Turku and Falun was 5800, Vyborg 2600, Uppsala 2500 and Västerås 2200 (Villstrand 2011, 423–26).
122. Haapala and Toivo (2007, 101), Kotkas (2013, 102–3), Villstrand (2011, 426). Twenty-eight new towns were founded in Sweden during the century.
123. Scholars in the late nineteenth century in particular thought that urban surroundings increased the suicide risk and rates due to the degenerative influences of town living, the affinity between urban vice and suicide and weaker social integration. For example, Durkheim (1985 [1897]), Westerlund (1898, 84–85). See also Kushner (1993).
124. Laurikkala (1961, 124–26, 128, 131–35, 143), Myrdal (1999, 100–2, 261–70). On informal social control among village communities, see Österberg (1991, 21), Österberg et al. (2000, 251–56). On informal, horizontal social control regarding illicit sexual relations in the seventeenth-century countryside, see Aalto (1996, 201–2, passim).
125. Nevertheless, even in the countryside if the next ordinary court sessions were imminent, a case could be brought to court in a matter of days. Also, if the district judge happened to be nearby, extraordinary sessions could be convened in less than five days. For example, KA: RT AS I KO a 6: 447–49, Huittinen 1 August 1648; KA: RT VA KO a 7: 414–17, Eura 17–18 October 1664; RA: SHA G 27a: 430v–6, Järvsjö 6 June 1679; RA: SHA U 53b: 556v–61v, Lagunda 20 November 1691 and 54b: 1106–14v, Närdinghundra 23 June 1692; KA: RT Kymenkartano and Lappee KO a 17: 68–76, Virolahti 10 March 1700.
126. KA: RT NO KO a 7: 478–79, Ii 9–10 April 1652 (5 months), KO a 7: 256–59, Kalajoki 12 March 1687 (nearly 5 months), KO a 9: 235–38, Kemi 22–23 February 1689 and KO a 12: 301v–2, Ii 25–27 February

1669; KA: RT Kexholm KO a 4: 812v–14, Pälkjärvi 14–15 September 1680; KA: RT Kymenkartano & Lappee KO a 1: 10–11, Kymi & Vehkalahti 12–14 February 1681; KA: RT Kexholm KO a 4: 357–59, Rautu 31 July 1682 and 137–v, Kitee 27–29 August 1683 and KO a 10: 6v–8, Rautu, Sakkola & Pyhäjärvi 22–26 January 1689 (nearly one year). Cases whose investigation had to wait for two months or more were also common in these areas. Also some cases in peripheral Västernorrland, e.g. RA: SHA G 54: 512–14, Delsbo, Bjuråker, Norbo 8–13 June 1700 (over 5 months); HLA: Gävleborgs länsstyrelses arkiv, Landskansliet DIIa 12: 373–4v, Stödesjö 15 December 1704 (over 4 months).

127. For a discussion on the myth of early modern strong states and formal control, see Dinges (2004), Roodenburg (2004, esp. 146–49), Ruff (2001, 73–74, passim). For a discussion on formal social control in early modern Sweden, see Karonen and Hakanen (2017), Sundin (1986, 1996, 176, passim), Ylikangas et al. (2000, 116–19), Österberg et al. (2000, 239–44, passim).
128. Aalto (1996, 201–2).
129. As pointed out, for example, in Nenonen (2012, 2, passim).
130. For examples of interpersonal and financial quarrels, i.e. revenge, behind denunciations of illicit premarital relationships, see Aalto (1996, 133–34) and behind accusations of bestiality, see Liliequist (1992, 62–64).
131. Similarly, in cases of bestiality popular problematization and condemnation of the acts explained their denunciations and indictment, which were also typically initiated by the local population, see Liliequist (1992, esp. 37–43, 159–71). Cf. selectivity in the case of illicit sexual relations, see Aalto (1996, 196–203).
132. Similarly, one motive for reporting crimes involving illicit sexuality was the willingness to punish the perpetrators in order to protect the livelihood of others from God's collective punishments (Aalto 1996, 135–36).
133. Juva (1955), Laasonen (1977, 2009), Laine (1996, esp. 16–23), Laine and Laine (2010), Pleijel (1970).
134. Kuha (2012), Kuha (2014), Malmstedt (2007), Toivo (2016).
135. Karonen (1998, 222–24).
136. Katajala (2005, 235–44).
137. There is evidence of regional differences at least in other beliefs. For example, witchcraft beliefs had regional variation between the west and the eastern parts of the Kingdom; witchcraft trials based on diabolist theories took place only in certain areas in Central Sweden and on the Ostrobothnian coast and Åland, i.e. Swedish-speaking regions in Finland. Nenonen (1992, 291–312), Saloheimo (1976, 282–84), Sörlin (1993, 22, 35, passim).

138. For example, the lower court of Undersåker sentenced a hanged Sámi to be taken down and buried in the woods by his fellow Sámi 'as customary' among them. HLA: Gävleborgs länsstyrelses arkiv, Landskansliet DIIa 11: 45–v, Undersåker 22 August 1701. See also HLA: Gävleborgs länsstyrelse arkiv, Landskansliet DIIa 7; Anundsjö 29 April 1686.
139. For a discussion on crime statistics, see Von Hofer (2003, 162–63), Österberg and Lindström (1988, 71–77).
140. Including all cases that mention a suicide sentenced in the lower courts during the seventeenth century, $n = 204$. Main sample added with cases referred to in Becchius Palmcrantz' samlingar vol. 5 and other sporadic mentions.
141. Jansson (1998, 26, 177): Appendix 3. Also, in the jurisdiction of Göta Court of Appeal, in southern Sweden, the numbers of suicide cases that ended up in the Court of Appeal increased significantly in the late 1680s (Thunander 1993, 76–77, 163). Between 1695 and 1718, the Göta Court of Appeal heard 566 suicide cases (of which some were classified as accidents and thus acquitted) (Werner 1998).
142. ULA: KSHB and Jarrick (2000, 109–10) (incl. a diagram of the cases).
143. Jarrick and Söderberg (1998, 25), Myrdal (1999, 221–23, 258–59), Villstrand (2011, 381–82).
144. Aalto (1996, 44–47), Liliequist (1992, 1), Matikainen (2002, 38–39), Tamm et al. (2000, 51), Ylikangas (1999, 58–60). For example, mere mentions but separate records of the investigation omitted from the lower court records: Värmdö 1600 in Arpi (1908, 152), Stockholm 2–4 December 1605 in *Stockholms stads tänkeböcker VI*, 92–5; Njurunda 1625 and 1627 in Hellbom (1982, 66, 73–4); Provincial Archives of Turku: Archives of Turku Court of Appeal Dbc 1: 2, 50, Eura 18 May 1631; RA: SHA U 42: 604v, Svartlösä 1682. Cf. a separate mention that felonies are included in the records after 1626 in Njurunda Hellbom (1982). At least some felonies included in the annual copies of the lower court records in Lower Satakunta and Savo already in the late 1640s, for example KA: RT Savo KO a 2: 740–6v, Rantasalmi 17 June 1648; KA: RT AS I KO a 6: 265–6v, Kokemäki 19 May 1647 and 447–49, Huittinen 1 August 1648. Cf. Petri Karonen has proposed that felonies were put on record more conscientiously in the Town Court records. Karonen (1994, 34–38; 1995, 107; 1998, esp. 217–18.) At least the annual copies of the court records of Turku Town Court include various felonies, including suicides well before the 1670s.
145. The first mention of a suicide sentence dates back to the fifteenth century; a suicide sentence was discussed at the Council of the Realm in Stockholm in 1491: Finlands Medeltidsurkunder: 4361. Other early mentions of suicides sentenced in the secular courts: Vadstena 1604

presented in Sandén (2014, 25–55); 14 November 1616 in Kinneved briefly mentioned in Thunander (1993, 76); Stockholm 3 January 1621 in *Stockholms stads tänkeböcker XII*, 124; mention of a suicide investigation whose records have been omitted in Njurunda in 1625 and 1627 in Hellbom (1982, 66, 73–74) and Stora Mellby 1634 presented in Bergstrand (1976, 12–13). The oldest mention of a suicide sentenced in the lower court in Finland: Provincial Archives of Turku: Archives of Turku Court of Appeal Dbc 1: 2, 50, Eura 18 May 1631. Early mentions of suicides discussed in the secular courts but not sentenced according to the law, for example, Stockholm 1484 in *Stockholms stads tänkeböcker 1483–1492* (1944, 52), Vaksala (1554) in *Uppländska domböcker vol. 5*, 19; Stockholm 1591 in *Stockholms stads tänkeböcker 1589–1591* (1948), 328f; Värmdö 1600 in Arpi (1908, 152).

146. The archive of the Göta Court of Appeal has been preserved in its entirety since 1635 (Thunander 1993, 163).
147. Hafström (1965, 97–101), Korpiola (2014, 40–41), Ulkuniemi (1978, 18–21).
148. On slow professionalization especially in the rural lower courts, see Blomstedt (1958, 199–225, 261–64, 346), Matikainen (2017), Letto-Vanamo (1987, 128), Pihlajamäki (2010, 170–79).
149. Jansson (1998, 25), Karonen (1995, 21–23). Paradoxically, King Christopher's Law was nevertheless ratified to cover the entire kingdom, and indeed, suicides were sentenced according to it also in several towns early on. For example, in Stockholm (see Jansson 1998, 26, 177: Appendix 3) and in Turku (KA: RT Turku Ro a 24: 222–23, Turku 1 October 1655 and 225, 5 October 1655 and RO a 33: 427–31, Turku 15 August 1664).
150. Blomstedt (1958, 270–71, 295–306, 345–46), Karonen (1995, 40–55, 2017), Matikainen (2017, esp. 152–53), Tamm et al. (2000), 49. On the education, training and juridical experience of the district judges and law-readers in Finland between 1523 and 1680, see Mesterton (2002).
151. *Kyrkolag* (1686) (Church Law of 1686), Cap. XVIII. § XII in Schmedeman (1706, 1036). In fact, already clarified in an ordinance passed in 1684: Resol. för Werldzl. Rätt och Consist. 5 May 1684 in Schmedeman (1706, 864).
152. See also Sogner et al. (2000, 182–87), Österberg et al. (2000, 258).
153. About 55% of the cases that resulted in a sentence for suicide in the lower court between 1600 and 1699 (here, total $n=204$) come from the years after 1685. Similarly, in the lower court the cases suspected but acquitted of suicide in the lower courts proliferate after the 1680s.
154. Thunander (1993, 76–77, 163).
155. Hemmer (1968, 138), Nousiainen (1987, 156).

156. This is one element impacting the generally declining power of the local communities and lay jurors in the judicature during the seventeenth century. See Jutikkala (1958, 177), Letto-Vanamo (1995, esp. 217–32), Taussi Sjöberg (1988, 1996).
157. Ordinance passed in 1686 in Schmedeman (1706, 1083–84). See also Matinolli (1971, 13).
158. Liliequist (1992, 4–5, 22–24, 173.)
159. Aalto (1996, 17–18, 58–69, 227–30, passim), Liliequist (1985, 292), Sogner et al. (2000, 187), Sundin (1992, 317–47), Ylikangas (1999, 90–3), Ylikangas et al. (2000, 65–67, 84–89).
160. Nevertheless, there were some significant regional differences (Liliequist 1985, 292–93; Nenonen 1992, 139–51, passim; Ylikangas 2000, 104–23; Ylikangas et al. 2000, 90–91).
161. Liliequist (1985, 292–93), Karonen (1998, 221–22), Thunander (1993), Ylikangas et al. (2000).
162. Aalto (1996), Aalto et al. (2000, 225–29), Sogner et al. (2000, 188–89), Sundin (1992, 299–347, 437–56, passim), Tamm et al. (2000, 48–53), Taussi Sjöberg (1996, 21–29), Ylikangas et al. (2000, 86–7, 115–19). Church control in the local level, see Sundin (1982).
163. E.g. Jarrick and Söderberg (1994).
164. Proportions of crimes, see Ylikangas et al. (2000, 64–66). To give some kind of picture of the rarity, and thus the sensational nature, of suicide cases in the lower courts, in Karelia around Vyborg I have been able to trace 17 cases sentenced for suicide, while in one of its jurisdictional districts alone, Jääski, the lower courts dealt with 6224 cases in total between 1623 and 1700, of which 599 were crimes related to property, 188 related to sexuality, and 4299 civil cases and disputes, the most commonly handled category in the lower courts. For the numbers of cases heard in the lower court trials of Jääski district, see Matikainen (2002, 210–11).
165. For example, information on Per Joensson's suicide that took place in Anunsjö in 1686 travelled nearly 200 kilometres south to Njurunda with two travelling boatswains. Njurunda 27 April 1688 in Hellbom (1983, 234–35).
166. As ordered for example in ULA: UDA A I: 3, Sinnetuna 18 December 1645 and A I: 4, Fröstult 7 January 1654.
167. For similar interpretations regarding bestiality, Liliequist (1992, 169–70, 176–78). Some versions of the Small Catechism, increasingly and widely taught and read around Sweden, included an explicit prohibition against killing oneself (Odén 1998, 32).
168. On belief in God's wrath in seventeenth-century Sweden, see Juva (1955, 62–64, 75–76, 83–84), Lappalainen (2012, 26–28), Liliequist (1992, 89–90), Matikainen (2006, 41), Vilkuna (1996).

169. The notion of God's wrath at an individual's sins, and of suicides causing bad weather, already existed in the Middle Ages (Murray 1998, 110–13). Also, the view already existed in sixteenth-century Sweden and was referred to in numerous ordinances (Inger 1980, 120; Kotkas 2013, 75–76). In the sermons of Isaacus Rothovius, Bishop of Turku in the first half of the seventeenth century (Parvio 1959, 210–11, 224).
170. The dangers of sinning and incurring God's wrath were fairly common themes in numerous writings, sermons and songs promulgated by the Swedish Lutheran state church, for example in Carlander (1683), Laurelius (1662, 1665), Pauli Gothus (1590), Sorolainen (1621 [1988]). On increasing popular education, literacy and supervision of religious conduct, see Aronsson (1992, 174–77), Johansson (1987, 73), Juva (1955, 59–67, 70–73, 114, 117–24, passim), Laine and Laine (2010), Lindmark (2004, 16–17, 19). See also the Church Law of 1686, Cap. II. § X.
171. For similar interpretations of the effects of social order on the indictment of sexual offences, fornication and illegitimate children, see Aalto (1996, 17–18, 45–48, passim), Miettinen T. (2012). In relation to the treatment of bestiality, see Liliequist (1988, 1992). On possible mental and moral changes related to sexual mores for similar reasons in early modern Norway, see Gaunt (1996 [1983], 73–76). See also Næss and Österberg (2000, 144–45), Österberg et al. (2000, 241–42, 251–56).
172. Juva (1955, 115), Lappalainen (2012, 26–28).
173. Thirty-nine suicides sentenced in the lower courts in the material between 1695 and 1698, with 12 suicides sentenced in the lower courts in 1698. Also, the number of sentence letters sent by the Svea Court of Appeal that dealt with suicides was at its highest between 1695 and 1698, 36 letters, and as mentioned, peaked in 1698, with 13 cases. ULA: KSHB and Jarrick (2000, 109–10).
174. Lederer (2006), 242–43, MacDonald and Murphy (1990, 241–43, 267–69), Minois (1999, 112, 151–52, 185–86). Cf. no correlation between economic fluctuations, recession or food crises and the frequency of suicide in early modern Geneva (Watt 2001, 168–69).
175. Arnold (1988, 75–77), Lederer (2006, 242–49).
176. Lederer (1998, 360–64, 2006, 242–44).
177. There is no evident correlation between suicides and other extensive crop failures, such as in 1633–1635 or in 1673–1673, or epidemics, like the major plague outbreak in 1710 and 1711. However, the Svea Court of Appeal sentence letters include a significant peak right after the worst plague years in 1712, with 12 cases. ULA: KSHB.
178. Jarrick and Söderberg (1998, 25), Villstrand (2011, 381–82), Virrankoski (1985, 203).

179. See, for example, Joiner (2007, esp. 127–29), Rojcewicz (1971).
180. Significant growth in suicides from the seventeenth century onwards in Zurich: Schär (1985). In England: Minois (1999, 183–84), Sprott (1961). In Stockholm since the 1670s, in rates since the 1690s: Jansson (1994, esp. 25–31), Jansson (1998, 2000, 29–30, 2004), reiterated in Mäkinen et al. (2002, 274), Odén (1998, 74, 81–83).
181. For example, Hair (1971, 16), MacDonald and Murphy (1990, 219–21, 241–43, 360–63), Ohlander (1986b, 31), Stevenson (1987a, b), Watt (2001, esp. 23–28). However, Watt's study on suicides in early modern Geneva has shown an increase in suicides in the late eighteenth century. Because of its extensive and comprehensive material, that includes death records and inquests following all unnatural deaths, his work is the first study to provide more reliable evidence on suicide rates for (pre- or) early modern Europe (Watt 2001).
182. As pointed out in connection to the suicide rates in Britain already in Hair (1971, 16).
183. MacDonald and Murphy (1990).
184. Also pointed out in Watt (2001, 5), note 14 and discussed in Douglas (1967), MacDonald and Murphy (1990, 219–21, 241–45, 360–63), Ohlander (1986b, 31–34).

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CHAPTER 4

Investigation of Suicides in the Lower Courts

This chapter focuses on the complex investigation of suspected suicides in the lower courts in Sweden during the seventeenth and early eighteenth centuries. The lower courts had the challenging task of discovering—or negotiating—the 'truth' about the nature of the death and the mental state of the deceased in order to determine the appropriate sentence and penalty. The trials described in the lower court records and other judicial documents are approached as interpretation processes and local negotiations of justice in which witnesses, lay jurors (lay members of the court), judges and other actors participated. Initial, first-hand descriptions and explanations were gathered as testimonies, based on which the lower court arrived at an official interpretation and conclusion. The course and outcome of the trial represented a joint effort by local households, community members, lay jurors, minor officials, judges and indirectly even the legal professionals of the distant Courts of Appeal.

The chapter discusses the elements of the lower court investigation and its course, as well as the content and methods of argumentation and establishing guilt in suicide trials. Not only does this illuminate the discrepancies and formation of the legal praxis concerning suspected crimes of suicide, but also the practical functions and development of the judicature and legal system as a whole during a period of slow judicial (r)evolution in Sweden.

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Lower Court Proceedings—Negotiation at the Intersection of State and Communal Powers

The previous chapter showed how a suspected suicide case was discovered and brought before the court in early modern Sweden. This section presents the typical course and protagonists of the suicide trials. The focus is on the various actors and their roles in the courtroom and on the procedural elements and typical progression of a lower court session on (suspected) suicide.

As mentioned, suspected suicides, like other crimes, were investigated in the local lower court of each rural locality (*härad*) or town. Besides dealing with various crimes and disputes, the rural lower courts and Town Courts took care of many administrative duties related to local matters such as taxation, public buildings, bridges and roads, various licences, public announcements, selection of minor officials and supervision of common lands, forests, fishing, vagrants and poor relief. Various civil matters, such as the partitioning of land, divisions of estates and inheritances, debts and registrations, were also dealt with in the local lower courts. Although a few of the duties and tasks were transferred to other officials, especially to the provincial governor (*landshövding*) in the 1630s, the lower court retained a wide spectrum of functions and was arguably the most important official institution on the local scene.[1]

Each rural district (*härad*) had one venue for the assembly of the lower court, and sessions were supposed to be organized at least three times a year, while the town councils were to convene three times a week.[2] However, King Christopher's Law specifically stated that in cases of suspected suicide the judge should convene the court promptly after hearing about the incident.[3] This meant that suicide cases could be investigated either alongside other matters in the regular court sessions or in an extraordinary court session, convened specifically to try the case, as took place in roughly half of the cases in the material. Suicide cases were almost without exception confined to a single court session, which might, nonetheless, go on for several days as the caseload in regular sessions was great. The extraordinary court sessions, however, usually lasted only one day.

The lower court investigation of a suicide began after some form of roll call of the lay jurors present, with a brief introduction of the case before the court. For example, the records of the autumn session of 6–7 October 1692 in Hedemora in Central Sweden began with the

customary recording of the date, place and office-holders present, after which the court heard how Erich Andersson Warg, a soldier, had hanged himself inside a barn a month earlier. As usual in the rural scene, the case was presented by the local constable (*länsman*).[4] In the countryside, the local constable was generally the official responsible for prosecuting so-called victimless crimes or offences without a plaintiff. The *länsman* was usually chosen from among the better-off peasants of the rural locality (*socken*) by the local peasantry, and like most other minor offices, the state-paid post was attached to a specific landed household and family. His house frequently served as the location for lower court sessions. The constables had various local duties, including aiding the bailiffs in the collection and transportation of taxes, managing distraints and maintenance of order ('policing') in their area. They had a dual role in the locality, arbitrating the requirements of the Crown and the population and serving as the representatives of both the Crown and the local peasantry.[5]

The local constables carried out various functions in the suicide trials. Before the trial, they gathered evidence and subpoenaed witnesses, and in the courtroom, they often presented the cases. The constable could also act as a witness and share his personal knowledge of the person and crime or explain what others had told him, even if they were not present in court. For example, in Erich Andersson Warg's case the constable described what he personally had seen the barn where Erich had hanged himself and provided information for the court about the location and position of the corpse as well as his conjecture as to how Erich had carried out his deed. However, the constable pointed out that he did not know why Erich had committed suicide.

Another important office-holder, the bailiff (*befallningsman*) of the larger administrative and jurisdictional district (*härad*), could also act as the 'prosecutor', or—as in Erich's case—be present in suicide trials. However, their participation in the suicide trials was quite rare. The bailiffs, serving the King and, since the 1630s, when a new level of regional administration was established under the provincial governors, were more clearly representatives of the central authorities than were the constables. They had numerous tasks in the locality, including levying taxes, recruiting men for the army and supervising trade.[6]

Although the preamble was typically presented by the constable in cases investigated in the rural lower courts, the presenter might also come from the lower ranks of minor office-holders. At times, a lay juror

presented the case[7] or even the scribe.[8] Sometimes higher-ranking officials initiated the investigation; for example, the case was at times opened with a mention of a letter from the provincial governor to whom the case had been reported.[9] The local vicars, whom the relatives might approach on these matters, might also present the cases to the lower court.[10] Nonetheless, the presenter was not necessarily a holder of any office. It was not uncommon for the bereaved to be the first to introduce and describe the case in the courtroom. In the towns, the town public prosecutors (*stadsfiskal*), town bailiffs or other secular office-holders might act as prosecutors.[11]

The judicial power over the investigation and its outcomes was held by the court, *rätten*. The rural lower court consisted of a board of lay jurors (*heredznempd, nämbdeman*) who were ideally 12 local peasant farmers, and the appointed district judge or his deputy, who together exercised judicial power. The balance and division of power between the laymen serving as jurors and the judge had long been at least in principle clear-cut and was also explicitly determined in the suicide chapter of King Christopher's Law of 1442. According to the law, the lay jurors investigated the cases and made the decision on the matter, in criminal cases guilt or innocence, either unanimously or by majority vote. The judge presided over the lower court sessions and passed the official verdict and conclusion or sentence and determined the form of punishment based on the law-book.[12]

The same roles and tasks were carried out by the aldermen (*rådmän*) and a burgomaster, respectively, in the Town Courts (*rådhusrätt*). The judicature in the Swedish towns was managed by the Town Court consisting of the same members as the town administrative organ (*magistrate*, also known as town council), with typically one of the town's mayors or burgomasters (*borgmästare*) and the council of aldermen (*rådmän*) serving as the jury. The urban administration of justice had developed in the Middle Ages based on German models. According to the law, the town council was to assemble three times a week, with two burgomasters and ten aldermen responsible for passing sentences.[13]

The lay members of the lower courts, the lay jurors in the countryside and the aldermen in the towns, were important men on the local scene: these posts were typically assigned to peasant masters or trusted burghers of respected, well-to-do local lineage. Alongside judicial matters, their tasks included functions such as confirmations of taxes and inheritances

and providing estimates and information for local people. Much of the power and authority in the locality, alongside different public posts, was concentrated in the hands of these same men. It has been suggested that by the very end of the seventeenth century they had become increasingly bound to the central power, acting more as agents of state control than as representatives of the local populace. Still, it cannot be overlooked that, although they were a local elite, they were still active members of various local communities and cooperatives and, as part-time laymen, supported themselves primarily by agriculture like the rest of the local populace. Perhaps some felt their interests were closer to those of the central authorities and were more officious than others who continued to mediate or cater to the needs of their communities and allies. No doubt, like the local constables, they had many local ties and private interests, and multiple, even conflicting roles in the locality.[14]

Not all the appointed jurors or aldermen necessarily attended the court sessions, even though ideally 12 jurors or ten aldermen were needed for the lower court to serve at full strength. However, according to the law, seven was the minimum for sentencing or acquittal.[15] In the suicide trials seven to twelve were typically present, although on a few occasions even the minimum was not met, most likely because of hastily organized extraordinary sessions and practical obstacles. For example, in Vika in 1695 only four lay jurors were able to attend the extraordinary session to process the suicide, which had taken place a few days earlier; most of the others were working in the forest and had apparently not been able to return so quickly. As in other cases, this did not stop the court from investigating the case and issuing a verdict of suicide.[16]

During the seventeenth century, the appointed district judges were often noblemen who did not personally attend to their duties. There were major differences in their legal education and experience as well as regional differences as to which of them travelled and personally attended to their duties in their respective districts. The more or less educated and experienced law-readers (*lagläsare*) frequently deputized for them, especially in the more peripheral rural regions before the year 1680, when it was decided that the enfeoffed offices were to be cancelled and those holding the office of district judge were to reside in their district and take care of their duties in person. Although in the early days many of the law-readers were locals, such as former bailiffs and scribes, professionalization through the increasing education, requirements and supervision as well as apprenticeships at the Courts of Appeal made them

unambiguously representatives of the Crown in the latter half of the seventeenth century. Certainly, the district judges attending to their duties personally at the latest since 1680 were also local elite, and with their higher education, wealth and estate position more distant from the vast majority of the rural populace. The same applies to the burgomasters acting as judges in the Town Courts.[17]

Another person who was always present and had an official role in the lower courts was the scribe, or clerk, who had the important task of recording the events and testimonies given in the trial. These compilations or copies of them were then sent to the respective Court of Appeal for review. Although the scribes obviously had experience and perhaps some education in formulating the records—as can be noted in the established form, terminology and formalistic expressions in the documents—their thoroughness and attention to detail varied widely. The scribe, alongside the judge and jury who could later check the protocols, was decisive regarding what was recorded, for it was he who chose what was written down—all the information we possess is filtered through the lens of the scribe. He had to render oral language into the written form, and in Finnish-speaking areas translate what was said into Swedish.

The proceedings were principally oral at the lower court level, and the use of written evidence in suicide, as in other criminal trials was almost non-existent. Moreover, in Sweden, the use of academically trained lawyers or other such learned counsel remained extremely rare, especially outside the most populous towns and their small noble and burgher groups. There were, however, some trusted and more experienced men acting as lay advocates, but there are no signs of their being used in suicide cases.[18] Similarly, the use of experts to inspect the corpses or evaluate evidence was exceptional, not least because there were relatively few doctors, barber-surgeons and other medically trained physicians in most parts of the Swedish Kingdom, the more so outside the towns and garrisons. Medical consultations, as well as post-mortem examinations for criminal trials, were more common in the capital and other larger towns, where both academically trained physicians and barber-surgeons practised in increasing numbers. However, even in Stockholm it is unclear how frequently they were employed in cases of suspected suicides.[19] At least in the countryside, people with medical expertise were very rarely consulted in the suicide trials, in fact in only two cases in the material.[20] It must also be emphasized that neither the corpses or remains, nor the instruments of suicide or other physical evidence were ever brought

to court but left at the scene of death; instead, the lower courts heard descriptions of them from the witnesses, or the lay jurors might visit the scenes and inspect the corpses.[21]

The most important group for the success of an investigation were the local people who gave testimony. Witnesses were to be heard separately,[22] although the records do not always specify exactly who gave the testimony. Instead, some scribes merged the oral testimony into a single, coherent narrative on the course of events. Household members, neighbours and those who discovered the deceased were typically summoned to appear in court, although they did not always comply. In the suicide trials, the most common group of witnesses were, unsurprisingly, the bereaved: spouses, parents, siblings, children and other kin of the deceased accused. It was uncommon for no kin to attend the trial to share their information.[23] For example, in the case of Erich Andersson Warg, his stepmother, sister and brother-in-law, all of whom had resided on the same farm as he, arrived and testified at the trial in Hedemora.[24] It was not ideal to hear only the testimony of kinsfolk and biased witnesses in criminal cases; the outside and thus more impartial testimonies of unrelated people were considered more reliable and credible. Yet it was by no means prohibited to hear biased witnesses—for example, Claes Rålamb, a prominent Swedish legal scholar and statesman in 1674 determined that the household of the accused, dependents and friends could testify if the truth could not be discovered by other means.[25] It was probably thought that the relatively high fine and a perpetual ban on swearing oaths or acting as a witness stipulated as the penalty for perjury was a sufficient and working deterrent,[26] although in addition many lower court records explicitly mention that the kin witnesses were separately reminded and exhorted to tell the truth.

The second most numerous group of witnesses, almost as well represented as the kin, were the neighbours of the deceased. They, too, could provide personal and vital information about the character and recent behaviour of the accused, and were often among those who discovered the corpse or had seen it and the scene of death. In the case of Erich Warg a few of his neighbours who had seen his corpse and knew him personally served as witnesses.

The third most common group serving as witnesses in suicide trials were the vicars and curates of the locality—the local clergy testified in over 40% of the cases in the material. Almost without exception, they came to court in person, but they might also forward their testimony

via letters or by proxy. As in the suicide trials in Central Europe,[27] the clergy served as expert witnesses who were thought to be trustworthy and have profound knowledge of the ways of life and mentality of the accused. They provided information on the general reputation as well as the religious conduct of the accused, and thus served as important character witnesses. Some had very intimate and detailed knowledge of their parishioners, having, for example, counselled those who had previously shown signs of desperation, melancholy or mental illness,[28] while others only reported the last time that the accused had received Holy Communion and on his or her knowledge of Christian doctrine. For example, in the case of Erich Andersson Warg the curate described his personality and his church-going. In general, the local clergy were often heard on the reputation as well as the mental state of the accused in criminal trials.[29] The estate position and the office added weight and credibility to the testimonies of the clergy, who were not only pillars of the community but also educated and usually esteemed figures.[30] Like the local constables and lay jurors, the vicars and curates had a dual role in the village or town community: although they were increasingly supervised and expected to collaborate with the Crown, many had been born and brought up in their parishes and served as trustees and representatives of the local community.[31]

Other witnesses giving evidence in suicide trials range from friends, co-workers and previous employers to passers-by, dependents, shepherd children, fishermen and beggars—anyone who had some information or had personally seen the event or the corpse could serve as a witness, as long as their competence and reliability were not challenged. Only certain individuals, such as those who had been convicted of theft, murder, adultery, heresy or perjury, and those who lacked reason, were deprived of many legal capacities, including serving on a jury or giving testimonies in a court of law. The trustworthiness of the witness was crucial and needed to be established. Thus it was also an established practice for a person who was not well known, i.e. was a stranger in the locality, to be debarred from giving evidence in court. It was also a long-standing custom for women to give evidence.[32] Members of resident peasant families are in the majority among witnesses, but it was not only the landholding, or more well-to-do or reputable community members who appeared in court. Witnesses were of all socio-economic ranks and ages. Even minors could be called and questioned in suspected suicide cases, although 15 was the official age of majority and thus also the age of

being competent to testify. However, as in most criminal trials, children ended up giving evidence very rarely, typically only if they had been the sole eyewitnesses.[33]

The personal knowledge offered in the oral testimonies was of key importance for the lower courts to establish questions of guilt and mental state. Testimonies were typically very precise in describing actions, behaviour and events. In suicide trials, they mainly described the past behaviour, personality, statements and relationships of the suspect, as well as the events on the day of the death and the discovery of the corpse and its location. In the case of Erich Andersson Warg the witnesses described his personality, his last days and the discovery of the corpse in particular detail. First-hand knowledge was preferred, though at times even hearsay and second-hand information was repeated in the trials.

In addition, the common people attending the court (*allmogen*) could make joint statements, known as *tingsvitne*, which served as important, reliable evidence. All trials were public; exposure to the public gaze was vital, for a local audience could oversee the truthfulness of testimonies and claims. The people attending were not merely curious spectators but often active participants in the investigation. The *tingsvitne* testimonies were thought to represent public opinion and local knowledge and were heard in various types of criminal and civil cases, such as in confirming ancient rights over lands or boundaries or establishing someone's reputation for taking on official duties.[34] In suicide trials, the public was consulted especially on the reputation and character of the accused. For example, those present in the Hedemora court sessions jointly stated that Erich Andersson Warg had been a quiet, calm, well-mannered and hard-working man who had always behaved in a 'godly' way. The crowd also stated that no one knew why Erich had hanged himself.

Thus numerous witnesses usually testified in the courtroom. In Erich's trial in Hedemora, there were at least seven witnesses, as well as the *allmogen*. The number of witnesses in the suicide trials ranges typically from three to twelve, occasionally even more—the maximum and the actual numbers are often difficult to calculate from the documents as some scribes only recorded that 'the neighbours', 'the household' or the common people attending the court (*allmogen*) gave evidence. The witnesses and the public were questioned by the lower court on what they had seen, heard or understood of the matter, their trustworthiness and intentions as well as particulars, like locations, times, circumstances and possible motives related to the crime. Suicide cases were dealt with by

inquisitorial means via jury trial procedure—felonies could not be investigated via the procedure of oath helpers, i.e. up to 12 reliable men or women swearing and vouching for the accused and his or her innocence. This meant that the lower court members actively questioned witnesses, tracked down new evidence and weighed up the question of the guilt and sanity of the accused on the basis of the evidence. Certain questions and themes recur in the trials, indicating that an established pattern of investigating suspicious deaths of all sorts steered the hearing at least in the late seventeenth century. For example, in the abovementioned case of Erich Andersson Warg the witnesses were asked about his behaviour and the discovery of the corpse and its position, his personality and his way of life, his physical and mental health and mood, possible quarrels with others, as well as the possible reasons why he had hanged himself. As some instructions existed,[35] and, as at least in the second half of the seventeenth century the majority of those acting as judges were trained, it can be assumed that most judges were educated in the methods of questioning witnesses or had gained some experience on relevant topics while apprenticed to the Courts of Appeal and in the course of their careers. Similarly, it is likely that at least some of the lay jurors had previous experience of investigating suspicious deaths or homicides.

After hearing the testimonies, the lower court determined the evidential value of the information and made an interpretation of the nature of the death, and thus the guilt, as well as the sanity or insanity of the deceased if the suspect was found guilty. Ideally, the question of guilt was established on the basis of the theory of statutory proof, which required evidence of the perpetrator being caught in the act, a confession or two witnesses giving concordant testimony for full proof. A single witness or testimony provided only half proof of the matter and could not alone serve as proof of guilt, while circumstantial evidence, despite having the lowest value, could supplement the former. However, in 1690 the King forbade the courts to convict those accused of felonies based on one witness and circumstantial evidence only. Obviously, such requirements required frequent modification in cases in which there were no eyewitnesses to the criminal act and of which only or mostly circumstantial evidence could be acquired, as was the case in most suicide trials. However, ‘clear’ circumstances or reasons could be considered equivalent to full proof. In felony cases, the lay jurors were to focus specifically on the signs and circumstances when making the decision of guilt or innocence.

Without full proof and in unclear cases, the lower court was to acquit the accused.[36]

The decisions were reached by unanimous or majority vote among the lay jurors. However, the influence and power of the judge increased in practice during the seventeenth century, and in particular after 1680, when the voting rules were changed. After that only a unanimous jury could overrule the judge's opinion and a simple majority verdict by the lay jurors no longer sufficed.[37] No doubt, even before that the personal influence of a trained district judge could at times be significant; they might guide the lay jurors in contemporary juridical views and legal praxis. Nonetheless, the role of the lay jury remained highly significant in the investigation and verdict; alongside the judge, they, too, questioned witnesses and were influential in the outcomes. In the example case, the lower court concluded by finding Erich Andersson Warg guilty of suicide committed while of sound mind. Although there had been no eyewitnesses, i.e. direct evidence, other proof consisting almost entirely of circumstantial evidence was ample grounds to exclude the possibility of natural death or foul play and insanity.[38]

In principle, if the lower court reached a verdict of guilty, it was supposed to follow the letter of the law when determining the form of punishment. The judge was not to increase, moderate or in any way alter the penalty prescribed by law, especially in felony cases. The lower courts had no right to arbitrate cases, nor to impose lesser sentences and more lenient punishments, even if there was less than full proof. Only the Courts of Appeal could make such decisions.[39] However, as will be shown in Chapter 5, alterations to the forms of punishment for suicide were in use in the lower courts. Besides giving a verdict of guilty, other options were to acquit the accused, and thus allow a Christian burial in hallowed ground with the usual ceremonies, to declare the case 'unclear' (*Guds dom/mörk sak*)—which meant usually the same in practice,[40] or to admit inability to reach a conclusion and simply postpone the investigation or refer the case to the Court of Appeal.

The lower court was an institution and place where private, local and state interests were negotiated and 'local truths' established throughout the period of professionalization and gradual judicial revolution. The seventeenth century has often been presented as an era of judicial transformation in Sweden, which largely removed the administration of justice and the lower court activities from the local community and brought them under the control of the state. The introduction of the Courts of

Appeal in 1614, to supervise and control the lower courts, marked the real start of the judicial revolution. During the seventeenth century, the gradual professionalization of the judiciary and a number of administrative, legislative and political reforms transformed the judicature and judicial system from a system of local, communal justice by negotiation into a state-controlled, hierarchically organized expert justice, with the Crown and its representatives as the authorities.[41] However, in practice, the judicature, like other state administration, required the participation and collaboration of the local populace, as well as personal agency of the minor officials, who typically had dual roles in the communities.[42] Although the lower court sessions enabled the state to control the population at the grassroots level via its local representatives, in particular the district judges and bailiffs, the judicial arena remained the sphere of local peasants or townsmen, who performed the tasks of prosecuting, investigating and serving on the juries. Neighbours and villagers provided evidence in these public arenas open to the common people and until the 1680s local law-readers often presided over the rural lower courts. Although the more 'distant', educated district judges and Courts of Appeal increasingly became involved in the process, investigations rested on the information provided by the local people and on the interpretations made by the local lay jurors. They chose what to bring forward, what to share and how to interpret the pieces of evidence, even if the central authorities increasingly defined the premises for proof and the ideal ways to interpret evidence and could intervene in the decision-making (based on what they had shared and the written information of the trial) at least at the level of the Court of Appeal.

In other words, the changes and reforms of the Swedish great power hardly resulted in any clear 'shift' from communalistic and local exercise of justice to top-down controlled, state and expertise justice. Rather, the lower court was an institution between two forces: the Crown and the populace—which cannot be perceived as having opposing interests as many of the local people had a dual role and interests that coincided with those of the authorities. The categories of 'local populace' and 'representative of the state'—like those of popular and elite—are not distinct, since all were members of various, overlapping communities and interest groups. There rarely, if ever, existed a unified or homogenous local or popular opinion or interest, nor was there a single homogenous state or elite view. Obviously not everyone had an equal say; nor were all claims equally weighty, either inside or outside the courtrooms. The rural lower

court sessions were primarily peasant arenas just as the Town Courts were for the propertied burghers. These groups had more authority than the masses of the landless and estateless.[43] In some matters the local elites serving on the juries and in local offices turned to the state to help them in their own interests and endeavours and in some they represented and supported their fellow farmers, or, as we shall see, the bereaved relatives of suicides. No doubt there were very specific local and individual differences in whether a consensus was sought and negotiations conducted primarily among local community members or Crown interests furthered.[44]

The Intricate Identification and Classification of Sudden Deaths and Suicides

It was shown in Chapter 3 that the locus of the initial interpretations—the 'readings' and first-hand evaluations of the nature of the event—was outside the judicial courtrooms. In effect, the interpretation and investigation process of suspected suicides had already started before the trial began. As the events surrounding the death, the presumed cause of death and rumours about the past behaviour of the deceased, as well as suspicions of possible outside involvement, had been reported to the officials prior to the trial, the type of case to be tried was largely determined beforehand. That, in turn, set the tone of the investigation and its goals: a sudden death required that the jury could reach a decision on whether the death had been natural, accidental, self-inflicted or caused by someone else. These goals determined who was summoned before the court and what questions were posed in the investigation.[45] The lower court ideally gathered the information of all the relevant 'signs', including physical and circumstantial evidence, which it was supposed to use to reach an objective verdict. In the courtroom the interpretation of the case became official and the grounds for the classification were more formally expressed and determined. The third and final interpretation of felonies like suicide was reached later in the Court of Appeal. However, this was made on the basis of the written information in the lower court records, so that even the final outcome ultimately rested on what was shared and recorded locally.

Although investigations into deaths that took place in obscure circumstances, in particular, those involving suspicion of suicide, were rare

occasions in the experience of a rural locality's board of jurors,[46] certain shared notions persisted regarding what was incriminating (or indicative) and counter-indicative for determining guilt in suicide cases. The district judges or their substitutes, who were responsible for the judicature of a larger area and, moreover, since the latter half of the seventeenth century had been trained at the Courts of Appeal, were more familiar with death investigations of all sorts, and could perhaps steer the investigation. The lower courts evaluated the significance of the various pieces of evidence, with certain signs and essential elements recurrently referred to in establishing suicidal intention on the part of the suspect deceased. Some scribes even pieced together a list of individual pieces of evidence gathered from the testimonies and serving as grounds for the classification and sentence. At the very least, factors that were considered incriminating, aggravating, corroborating or mitigating can be deduced from the records sent to the Courts of Appeal, as the scribes wrote down at least the vital information relevant to the conclusions.[47] Although there were obviously some differences in these investigations and their courses and the persons involved in different parts of early modern Europe, one can assume that the pattern of judicial investigations was similar, making use of the same types of evidence and facing similar problems.[48]

Reaching a verdict of suicide could be challenging if there were no eyewitnesses. The lower court had to determine the cause of death, investigate the possible involvement of others in the death, and finally, establish whether or not the deceased accused had really *intended* to cause his or her own death. While the first question was not usually so difficult, the other two could be significantly more complex. To make sense of the practical classification and conceptions of the signs of suicide I have compared cases that were categorized as suicides with cases that were not. Thus the material also includes various records of trials of suspected suicides that were, often after lengthy investigations, classified as accidents, natural deaths or as unclear, so-called 'dark cases' (*mörk sak*) and thus acquitted, or pronounced to be other types of homicides.

When encountering sudden deaths that had taken place in obscure circumstances, the first step was to try to pinpoint the cause of death. The understanding of causes of death was based on visible signs on the corpse and on circumstances and acts linked to the death. For example, one circumstance, and a very common natural (vs. 'unnatural', caused by external intervention or influenced by external forces) and legitimate cause of death, was old age and decrepitude.[49] Also, various recognized

illnesses had physical and visible manifestations. But unless an ailment was identified, the typology was based on the *manner* of death rather than on its specific, anatomical or medical causes. The external circumstances or underlying causes such as falling or having been frozen, murdered or slain were regarded as the cause of death, rather than stating the particular injuries leading to death. The terminology in use for sudden deaths was typically based on active verbs; the person had, for example, drowned or fallen from somewhere.

To identify the manner of death and typically in criminal cases the injury that caused it, the judges and jurors required information on the corpse, the scene of the death and its surroundings. The court established the cause of death by considering a wide range of material or physical and circumstantial evidence. In Sweden, the corpses of those suspected of suicide or who seemed to have died otherwise unnaturally or violently were typically left where they were found, where they were later re-examined if necessary. Also, as mentioned, doctors or other medical experts rarely examined the corpses or remains of those who had died in suspicious circumstances. For example, in Finland consulting doctors in determining causes of deaths in criminal trials only became more common in the 1760s.[50] It must be pointed out that the situation was very different in the more populous regions of Continental Europe, where more professionals were at hand.[51] Instead, in Sweden the lower courts typically drew their conclusions on the cause of death on the basis of testimonies by neighbours and other 'common folk' who had personally seen the corpse, the scene and the possible weapon or instrument. Vicars were not involved in this, even though one might attribute to them some expertise on the matter due to dealing with their deceased parishioners. However, in practice they also relied largely on what the bereaved told them about the deaths.[52]

Lay jurors and other minor office-holders might also inspect the corpses and the scenes of death and report their observations at the trials. However, before the early eighteenth century, these inquests were relatively uncommon, with only about a fifth of the lower court records from the seventeenth century including information of such organized inspections. They were typically carried out by a group of—or a minimum of two—jurors or other trusted local peasants, burghers or higher or minor office-holders, dispatched by the local constable or the district judge already before the trial. Nevertheless, neither the organizer nor the men involved were necessarily officials whose duties included any judicial tasks.

To give an example, after hearing about the hanging of a local crofter's wife Margreta, the cavalry captain (*ryttmästare*) sent his bailiff, the tavern-keeper (*krögare*) and a local cavalryman (*ryttare*) to view the corpse and the location in Hagunda near Uppsala in 1689. They carefully inspected and described the scene and the position and marks of the hanging corpse. At the trial, the lower court was particularly interested in the possibility of a concealed murder.[53] There were no decrees or clear guidelines on the matter involving suicides or lethal violence, but separate inspections were arranged in particular when there was suspicion of manslaughter or murder.[54] For example, the death of Lars Larsson, a roadbuilder, merited great scrutiny in 1689 after he had been found shot in his croft. The judge who had been notified of the event sent a number of jurors to inspect the scene, the corpse and its position—although a group had already visited the site at the vicar's request and had sent their written statement to the vicar who had forwarded it to the judge. The man's recent behaviour and severe physical illness and the details of the weapon and the gunpowder marks served as adequate proof of his suicide.[55] In Northern Ostrobothnia in 1733 the site was visited by the constable, joined with a schoolmaster and a student who happened to be visiting him when he was informed of the suicide by gunshot by a local peasant, as well as a parish scribe, a bridge bailiff and another local peasant master. In the trial they described how the deceased had used two knitting needles to fire the gun.[56] However, even in these visitations it was very rare for corpses to be moved, undressed and more carefully inspected; instead, the men involved merely observed the corpses superficially and avoided touching them.

Witnesses describing the bodies and separate inspections were crucial for eyewitnesses to the acts were rarely available. Only about 15% of the cases include such first-hand, direct evidence in the form of testimonies describing the moment of death. Deaths involving signs of violence and with no eyewitnesses, or having only biased or untrustworthy eyewitnesses, included suspicion of murder and hence a more thorough investigation. If uncertainty about the cause of death persisted after an inspection, and especially suspicion of foul play, more information and details were acquired by sending more people to inspect the corpse and the scene in the course of the trial. For example, at the trial in Garpenberg in 1690 the discoverers, a juror and his two neighbours, could not provide satisfactory evidence about the corpse of a peasant who had been found hanging in the woods. As is typical in these

descriptions, they had only observed the corpse as it hung from the tree. However, the local constable wanted to check this corpse more closely to determine that the hanging had not been staged. He therefore left with three jurors during the court sessions to take it down, undress it and inspect the corpse for wounds, bruises and blood.[57] However, hangings were less often so thoroughly investigated as other violent causes of death, namely deaths from gunshot or bladed weapons. Hangings (except on the gallows) were associated first and foremost with suicide, and with good reason, since hanging as a suicide method had long traditions and the noose appears to have been a very popular means of self-killing in most preindustrial societies.[58] Indeed, very few cases of hanging or strangulation were acquitted of suicide in the trials. Yet contemporaries were well aware that even a hanging could be staged, as seen in a famous case that came before the Vadstena Town Court in southern Sweden in 1604. The Town Court had already passed a sentence of suicide on a man found hanged, but while carrying out the punishment the executioner had noted fatal wounds in the deceased's chest and the case was reopened. Further investigations into the possibly staged murder followed in the next years.[59]

Nevertheless, as mentioned, the most common way to determine the cause of death and exclude the involvement of others was to hear local people, typically neighbours, who had no official status but had personally seen the scene. In the vast majority of cases, there were enough trustworthy local lay witnesses to provide adequate and consistent accounts. The lower courts usually trusted the interpretations of the local people, although it was extremely rare for the word of the spouse and immediate family of the deceased to suffice. The practice of relying on the local population to provide proof demonstrates the high degree of trust enjoyed by the local peasantry, whose interpretation and knowledge were appreciated and generally carried considerable weight in legal investigations in Sweden.[60]

Some difficulties in recognizing or identifying suicides and the manner of death explain in part why certain causes of death are overrepresented among the cases classified and sentenced as suicides. Obviously, violent deaths formed the majority among the cases of sudden death brought before the court; signs of violence implied criminal involvement by default. Deaths by firearms, bladed weapons, hanging or strangulation could be easily recognized from the wounds, bruising, blood and other marks on the body and at the scene. All visible injuries facilitated

the classification, as did an instrument still in place or nearby. Also, it must be pointed out that even if the death occurred sometime after the violence had taken place, circumstantial evidence could be regarded as sufficient to classify the death as criminal and to sentence it as a suicide or homicide.[61]

As hanging was, as mentioned, typically by default associated with suicide, it is not surprising that well over half of the cases that were ultimately sentenced or classified as suicides were deaths caused by hanging (or strangulation). Obviously, this does not mean that hanging was necessarily the most popular suicide method at the time—rather, that it was a cause of death that was most easily considered to suggest suicide.[62] Conversely, other suicide methods are very likely underrepresented among the sentenced suicides as they were not by default associated with suicide, which meant that they were more likely to be considered accidents or homicides. Drownings and other non-violent deaths, and even deaths caused by weapons where there were no eyewitnesses were more difficult to classify and recognize as suicides. In particular, drownings did—and still do—present the greatest difficulties for anyone trying to establish whether or not there was deliberate intent or foul play.[63] Drowning incidents were usually presumed accidental and rarely even brought before the court.[64] Moreover, when tried, they were usually less thoroughly investigated, and were often acquitted and significantly more likely to be classified as accidental than other types of sudden death.[65] Excluding the possibility of dying from old age or from other natural causes and simply falling into the water afterwards, or, for example, the possibility of a swimming accident or a capsized boat required strong circumstantial evidence of suicidal intent, or signs of other wounds implying murder. Similarly, drownings after falling into wells might easily point to accidents or even involuntary manslaughter,[66] although they might have in fact been self-inflicted. Thus it is probable that drowning was a more common way to end one's life than the judicial documents suggest.[67] Indeed, only about a third of the cases sentenced for suicide were drownings.

Thus, hanging and drowning together accounted for well over four fifths of the suicides sentenced. It can be assumed that they were, indeed, also the most favoured suicide methods. Hanging was relatively easy, at least in the sense that instruments such as ropes and belts were readily available,[68] and carrying out the act typically required little by way of practical preparation. Similarly, finding a lake, the sea, rivers, streams or

wells required little effort or travel. People of all walks of life also used both as suicide methods. It has been suggested that the medieval and early modern upper classes scorned hanging as it was considered a less honourable way of death, but in the Swedish context this is difficult to substantiate as the higher estates (the nobility, clergy and burghers) figure so seldom among the sentenced in the material.[69]

Although easily recognizable and identifiable, the use of weapons, such as knives, swords and other sharp instruments or firearms was not common among the sentenced suicides. Only about ten per cent slew themselves, typically by cutting their throats or stabbing themselves in the chest, while roughly six per cent were deemed to have shot themselves.[70] The use of blades appears quite low considering their wide availability,[71] but perhaps cutting weapons were eschewed for suicide because people wanted to avoid painful and lingering deaths. The relative scarcity of classified suicides caused by gunshot, all by men, or gunshot victims otherwise, is probably related to their lesser availability rather than difficulties in classification. After all, firearms were neither an everyday commodity nor very familiar instruments for most people in seventeenth- or early eighteenth-century Swedish rural and urban households.[72]

Other causes of death were rarely identified as suicides, and in general, appear very exceptionally in the investigations on sudden deaths. Self-poisoning was connected to only four of the cases sentenced as suicides.[73] In part, this striking paucity may be a sign of the difficulties in detecting and identifying the use of poisons due to the lack of eyewitnesses to the ingestion, visible marks and medical experts.[74] Although chemical preparations were only limitedly available, people had knowledge of poisonous plants and roots, which were not so difficult to find in the Swedish landscape. Indeed, two of the four classified self-poisonings were committed by eating poisonous plants. However, death by poisoning was neither easy nor quick, as the descriptions of vomiting, swelling and other signs of slow and painful death show—perhaps another explanation for its unpopularity.

Obviously, the causes and manners of death were also difficult to classify if a body was found too decomposed, burnt or frozen. Without an established cause of death, there was insufficient evidence to exclude the other possibilities and thus, the lower courts generally acquitted them as 'unclear' cases (*mörk sak*).[75] However, in one case a feverish woman was deemed to have frozen to death after either jumping or falling into an almost empty well and was sentenced by the lower court as an insane

suicide.[76] In another unusual case, from 1664 in Eura, in southwestern Finland, the lower court could not determine the cause of death even after extensive inspections and investigations, and the exceptional involvement of a barber-surgeon, but still sentenced the corpse of Mats Göransson, a local peasant avoiding trials for adultery, as a sane suicide.[77] Also, the cause of death could not be pinpointed for a soldier on the run from criminal penalties in 1711; the lower court still sentenced him as a sane suicide for he had deliberately run and hidden in a barn where was found dead with scanty clothing and without food.[78]

It is noteworthy that there were no sentenced cases of suicides committed by jumping from heights nor by burning to death. In Sweden, multi-story buildings and mountains were quite rare, but no doubt some cliffs were used to end lives. Still, it can be assumed that without eyewitnesses such deaths were difficult to classify as suicides.[79] Also, self-immolations did occur, especially on the eastern frontier and Kexholm Province where Old Believers, a sect separated from the Russian Orthodox Church, committed mass self-immolations. However, suspected suicides by fire were rarely brought to court and never sentenced for suicide; presumably, any punishment to be inflicted on the corpse would have been pointless as they were already burnt and destroyed.[80]

At times, the lower courts had to fall back on manifold circumstantial evidence, like the death location, details of instruments of death and testimonies about events prior to the death. A case investigated in Ulvila, in southwestern Finland, in 1696 serves as a good example. Some bones and a skull were found in the forest and although little was left the corpse was, based on the boots discovered at the scene, identified as that of Sigfred Michelsson, who had been missing for over a year. The remains of his corpse included no evidence of the cause of death, but a gun was found near his body. Although the court stated that not all the circumstances of his death could be established, the case was deemed a suicide by gunshot because of the weapon found close by, Sigfred's criminal past, his past suicidal talk, and the location in a remote place 'where no roads led'.[81]

Excluding the involvement of others entailed investigating the relationships of the deceased and the signs on the body and at the scene. The deduction proceeded largely by process of elimination: absence of quarrels, marital discord or violence, and signs of a struggle were incriminating or at least corroborating evidence for suicide. Again, in the typical lack of multiple, trustworthy eyewitnesses the lower courts had to

rely on circumstantial evidence in the testimonies. Unsurprisingly, as most were found near their homes, those under suspicion were usually the spouses and household members of the deceased. It typically sufficed for the lower court to question both the bereaved and the neighbours about the marital, household and other relationships of the deceased and about the possible signs of a struggle and other wounds on the body or at the scene. Suspicion of foul play was excluded by establishing that there had been no marks of attack or defensive wounds, or that the person had been alone at the time of the death, or, at the very least, by hearing that the deceased had had no quarrels or arguments with others. Also, the possible weapon, blood stains, the belongings and clothes intact or missing, and the position of the corpse might provide evidence indicating or eliminating suicide. As mentioned, especially the scenes of violent deaths were visited and inspected, clearly in order to exclude the possibility of murder. These testimonies often included a more comprehensive description of the site, with careful attention paid to details such as signs of disarray or footmarks at the scene or lack thereof.[82]

However, the involvement of others in the deaths of those whose insanity, suicidal intentions or previous attempts were widely acknowledged in the community was usually ruled out by default. Instead, suicide was the presumed 'cause of death' with little interest in the possibility of foul play. And interestingly, suspicions and more thorough investigations into the possibility of murder tended to fall on people and households not enjoying a good or established reputation in the community rather than on the landholding peasant 'clans' who had resided in the locality for decades or even centuries and built a solid standing. Most cases in which the lower courts explicitly challenged the assumption of death by suicide or accident in the trial involved the lower social strata like the landless, crofters and those who were not local, who were therefore considered unknown and untrustworthy. The trials of violent deaths in the households of peasants or higher estates rather focused on other things, unless there were clear aggravating circumstances in the form of testimonies about quarrels and notoriety.

Rather than murder or other direct involvement, people might also be suspected and accused of some type of instigation. However, only direct involvement was punishable. Still, at times the bereaved laid the blame on someone for driving the person to suicide by maltreatment, or others laid responsibility on the family for neglecting their duties or some perceived abuse inducing the suicidal intentions.[83]

Establishing Intentionality: Accidental or Suicidal Death

Although excluding the possibility of outside involvement in the unnatural death was at times also tricky, a more difficult task was to investigate whether the death had been accidental or deliberately self-inflicted. This typically required a compilation of pieces of mutually corroborative indicia. Hanging certainly pointed to intentionality, but determining whether death had been the purpose of the deceased's action was more challenging with regard to other causes of death. Indeed, the distinction between the intentional and involuntary consequences of an act was a central principle of law and legal praxis. Various judicial guidelines stipulated that the intention and purpose of the act were pivotal in sentencing.[84]

However, the definition of self-killing in the outdated King Christopher's Law was very equivocal and obscure, as it lacked terms referring to intentionality and prescribed liability to penalty for killing oneself by any means. In the case of the insane, the purpose of the act was brushed aside, as the suicide chapter literally refers to those lacking the capacity to avoid accidents, or in some translations 'dangers'.[85] This left room to classify as suicides and pass sentence on various types of self-inflicted deaths that to the modern reader would appear to be accidents. In particular, drownings and falls by the feverish, delirious or 'entirely mad' were at times sentenced as 'insane suicides' without any evidence of intentionality.[86] For example, in 1689 in Northern Ostrobothnia in Finland, a peasant wife Walbor Nillsdotter who in her serious physical illness and pains had wandered outside in the night, fallen into a well and frozen to death was sentenced as an insane suicide.[87] In southwestern Finland Thomas Michellsson had fallen into the river during an epileptic fit and was thus considered to have 'drowned himself' in his illness and mental weakness.[88] The ambiguity in the law on suicide meant that the lower court of one locality might consider a death accidental and permit a Christian burial while a similar death might in another court be classified and sentenced as suicide.[89] However, it was primarily the obscure and unintentional deaths of those 'totally' mad, having died in some way as a result of their own actions but unable to take care of themselves and control their actions, which fell under this category.

Nevertheless there were established conceptions of what types of deaths of those considered sane or 'less' insane (mentally weak) were accidents, involuntary or unintentional (even if they were to some extent self-inflicted) and suicides—some degree of direct action and intention was typically a prerequisite for categorizing the death as a criminalized form of suicide. Thus, although understood as having brought about their own deaths, those who had died of alcohol intoxication and other overdoses, in certain types of fire accidents or in dueling, or, for example, drowning after swimming too far were generally not sentenced as suicides. Dying while sinning or due to recklessness or carelessness of one's own life was usually similarly punishable by deviant forms of burial but applying the suicide classification and sentence required some signs and proof of intentionality, i.e. of death having been the purpose of the deceased's action.[90] However, the line was obviously thin and the consequences of an action were at times more significant than its aim. This emerges, for example, in a proclamation of 1737, which stated that Stockholmers who went to walk on ice and drowned before it was certain that the ice was strong enough were to be regarded as suicides and could not be buried in the churchyard.[91]

It must be emphasized that although deemed to be suffering from diminished reason and capacity to act consciously and rationally due to their impaired mental faculties, those of the 'insane' who, unlike those 'totally' mad, had not lost their reason or ability to avoid accidents entirely were considered capable of acting premeditatedly and intentionally. Thus, establishing intentionality was usually also required in their case; accidental, unintentional self-inflicted deaths were acquitted in cases involving those 'mildly' insane. Similarly, minors were thought less responsible and liable for their acts due to their incapacities[92] and thus deserved the more lenient, reduced forms of penalties for their suicides. As mentioned in Chapter 2, unlike in many other parts of Europe, in Sweden insanity did not serve as a full defence and those guilty of suicide were not pardoned if they were found to be mentally imbalanced at the time of the crime.

Ideally, for a suicide sentence it was necessary to establish that the accused had intended to end his life, or at the very least to exclude the possibility of an accident. After all, in obscure cases—in this case, deaths that included the possibility of an accident—the lower courts were to give the accused the benefit of the doubt and acquit them.[93] However, there were no rules or formal requirements as to exactly what constituted

proof of such intentionality, nor of what could be considered 'clear' circumstances, reasons and proof meriting a felony sentence. This resulted in rather casuistic interpretations in cases with ambivalent evidence.

As usual, in the absence of the accused, the investigation of possible intention had to rely on witness statements, most of which offered only circumstantial evidence. Strictly speaking, only an eye-witness who actually saw the accused deliberately bringing out his or her own death, a witness testifying that the person had confessed before dying, or a confession in the form of a suicide note, could provide direct evidence and positive proof. However, only a fraction of suicide cases had eyewitnesses or included confessions after the act but before dying. Suicide notes were very rare; there is only one mention of these in the material.[94]

Cultural conceptions existed concurrently regarding both incriminating or indicative circumstances and elements that mitigated or dispelled the possibility of suicide and suggested that the death had been accidental. The most important and recurring pieces of circumstantial evidence that were thought to render suicide more or less probable in the investigations are listed in Table 4.1. The investigation of intention centred upon behavioural patterns, personal characteristics and life circumstances which in early modern culture were associated with suicidality.

Firstly, the cause of death obviously played a part here: the possibility of an accident was not even considered in cases of hanging or strangulation. Hanging was without exception regarded as intentional and, as

Table 4.1 Circumstantial evidence in establishing guilt in suspected suicide cases in early modern Sweden

Incriminating/Indicative	*Counter-Indicative*
cause of death: especially hanging	(cause of death: especially drowning)
expressed will to die: previous suicide attempts, suicidal talk, death wishes	no explicit wishes to die or prior suicidal behaviour
preparations for suicide/death	no recognizable preparations
'gloomy' talk and behaviour (crying, complaining etc.)	'joyful', content etc. character, no out-of-the-ordinary behaviour
life circumstances linked with suicidality, especially adversities in life	a 'good' life, lack of difficult life conditions
insanity	no mental illnesses
bad reputation and/or traits	good reputation, especially religious practice and piety

noted, directly associated and culturally linked with suicide. However, other classified causes of death—including death by sharp instruments, gunshot, fire, poison and especially drowning—could have resulted by some accident or odd mishap. The possibility of an accident was considered greatest in the case of drowning: the intentionality in these cases was often pondered in detail and they were the most common suspected suicides to be acquitted due to lack of evidence.[95]

Yet perhaps the most incriminating indicia suggestive of guilt was information that the accused had expressed a wish to die. A history of previous suicide attempts was considered conclusive evidence that the person had now succeeded in committing suicide, whereas the material of those acquitted includes no evidence of prior attempts. For example, in 1689 it was considered beyond doubt that Johan Hansson had intentionally jumped from a cliff into a lake and drowned himself as a month earlier he had tried to poison himself as well as drown himself.[96] Like attempts, an articulated wish to kill oneself or to die or other unusual death talk confirmed a suspicious death as a suicide. To take another example, Hans Gabel, a German cavalryman stationed in Kexholm, had spoken of his desire to die several times when drunk. The witnesses stated that, before hanging himself in April 1682, he had said, among other things, that 'because he considers himself to have no luck in this world, only sheer misfortune, he no longer has the will to serve and even less to live'.[97] Expressions of this kind of hopelessness were quoted in testimonies and similarly interpreted as signs of suicidal ideation and thus as incriminating evidence.[98] Many more had indicated their suicidal intentions in other ways. For example, in 1695 an 11-year-old boy, before hanging himself, had told a maidservant that she would never speak with him again.[99] Some were interpreted as having expressed their desire to die simply by complaining about the burden and long duration of life.[100]

Also, any signs of preparations for the suicide or death in general, such as making arrangements for one's temporal or spiritual matters, were considered incriminating. However, testimonies of such preparations are rare; perhaps the bereaved chose not to disclose such information if they were hoping for an acquittal or the more lenient punishments, or those planning suicide avoided conspicuous preparations to ensure that their plans went undetected and that they were not watched over. After all, many of those who had shown signs of gloomy thoughts or had openly manifested their suicidal intentions were kept

under observation by their kin, household members and neighbours. Yet some warning signs went unheeded, and later served as important evidence in the suicide trials. For example, in the small mining town of Sala in Central Sweden in 1687 an ironworker, Jacob Månsson, had told his small children not to worry too much and to remember to read their prayers, go to church and be obedient to their mother, advice which became one of the many circumstantial pieces of evidence corroborating that he had, indeed, committed suicide by stabbing himself in the chest. It was even argued that he had rationed himself and refused to take food with him to work so that his family would have something to eat.[101] In 1669 in Ostrobothnia, Elin Mattsdotter had even pondered out loud where she could find a good place that would enable her to remain undiscovered so that she would not be burnt at the stake, i.e. suffer the punishment for sane suicide.[102]

Similarly, sudden confessions and visits to receive Communion by someone who subsequently died in mysterious circumstances were treated with suspicion. Although the Church taught that suicides were destined for Hell, a few of the suicides actually made—and were later claimed to have made—spiritual arrangements for their afterlife, suggesting that they cherished a hope that they might still be saved by God's mercy. For example, in 1671 it was deemed that Per Jönsson Karfwanen, imprisoned for rape, had feigned an illness before strangling himself so that he could confess his sins, make atonement and receive Communion.[103] Such arrangements not only suggested that the death had been intentional, but were also considered signs of premeditation.

Certain choices of clothing or removal of it could also be interpreted as signs of preparation for suicide. Especially in cases of drowning undressing was considered corroborating evidence—it was assumed that people did not normally go swimming and were unlikely to have removed their clothes if the death was accidental.[104]

Even a brief mention of hopeless talk or preparations could serve as decisive proof of suicide, although usually the lower courts needed at least a few more pieces of circumstantial evidence to corroborate the classification. Comparisons between the cases sentenced and acquitted shows that, for example, finding a pile of folded clothes or the deceased in unusual clothing or entirely or partly undressed in the water did not usually suffice for the lower court to classify the case as a suicide. To give an example, in 1686 various pieces of circumstantial evidence served as adequate proof that Karin Swärdsdotter had intentionally drowned

herself: not only had she left her clothes on the shore before drowning, but she had previously talked about her desire to die, behaved strangely at church and wept several times; finally, she was found in a place where she had no business to be.[105] As this last circumstance suggests, having no reason to go to the location was at times taken as circumstantial evidence of self-inflicted, intentional death,[106] and conversely, having a reason to be there as mitigating evidence in uncertain cases.[107]

Incriminating and corroborating evidence was found in the testimonies describing the behaviour and actions of the deceased prior to or on the day of the death. Throughout the investigation great emphasis was put on all strange, out-of-the-ordinary remarks and gestures. In particular, 'gloomy' behaviour and talk, like complaining, crying and sighing recurrently, served as indicative, circumstantial evidence of suicide. Besides plain wishes to end one's life or die, continuous worries and bemoaning one's lot in life were considered signs of gloominess (*svårmodighet*) and hopelessness and regarded as indications of suicidal ideation. For example, outspoken worries over sustenance, complaints about aches or heaviness of the heart, lamenting physical pain or grief over some event or loss were used as corroborating evidence of suicidality and intentionality. Troubles with eating, sleeping or managing one's duties and seeking solitude might also be regarded as 'gloomy' behaviour, and often explicitly elicited from the bereaved. Conversely, absence of previous suicide attempts, openly expressed wishing for death or other unusual behaviour served as counter-indicative circumstantial evidence of suicide if there was no direct evidence. 'Joyful' life or personality was often referred to in arguing for the accidental nature of a suspicious death.

All this shows that there were shared ideas of 'suicidality' and its motives and manifestations, and that these cultural conceptions did not, in fact, differ much from those of the modern world. There existed notions of difficult life circumstances that were linked to suicidality and suicidal ideation. Simply put, people thought by others to have been troubled or in hard life conditions were considered to be more likely to have committed suicide. For example, in cases of drownings that took place in suspicious, unclear circumstances people who had lived in conditions or experienced events that others considered bad, hard or unsatisfactory—all circumstances presumed to be motives for suicide—were more likely to be classified as suicides than those considered to have led good and happy lives. The most significant life circumstances and recent

events connected to suicide, and hence serving as evidence, were insanity, suffering from severe physical pain or illness, major material and financial difficulties such as indebtedness or extreme poverty, marital and love problems, deaths of family members and awaiting trial or criminal penalties. Also, interpretations of the suspect having had a guilty conscience over something or experiencing overwhelming feelings of sinfulness were used as corroborating evidence. These background factors are further discussed in Chapter 5.[108]

However, identification of something in a suspect's life that might motivate him to commit suicide was not usually sufficient to provide full proof of intentional self-inflicted death in unclear cases but only served as corroborating evidence. Still, as the interpretation was casuistic, there are always exceptions. For example, in 1697 it was considered that the terrible headache and pains in his injured hand and related mental weakness had induced an otherwise reputable and pious tailor to drown himself in the river, and the case was classified as a suicide without any further evidence.[109] Also, in 1664 a peasant who was awaiting trial and probable conviction for adultery and having an illegitimate child was deemed to have intentionally caused his own demise, although even the cause of death could not be established and there was no other evidence of suicide.[110]

Insanity was a significantly incriminating circumstance and could, as mentioned, suffice even alone as adequate proof of suicide. This had to do with both the long tradition of connecting self-killing with insanity and the vague phrasing in the suicide chapter in the law discussed above. The signs and classification of insanity are further discussed in the next section but suffice it here to say here the material suggests that the suspicious deaths of those known to be insane in their lifetimes were more likely to be sentenced as suicides than those committed by persons deemed sane.

Conversely, having no 'reason' to commit suicide and having had a good life characterized by none of the abovementioned negative circumstances was a recurrent argument serving as counter-indicative circumstantial evidence in suspicious cases. Contemporary preconceptions about the causes of suicidal urges were thus deployed not only to establish suicidal intention but also to classify the case as an accident. This argument was used, for example, in Grytnäs in 1697 in the trial over the drowning of a local peasant: testimonies of his good life and reputation

as well as satisfactory livelihood served as important pieces of evidence and led to acquittal.[111]

Also, the person's general character and morality, in particular, served as circumstantial evidence in the trials. The accused's notoriety was an incriminating factor; as killing oneself was considered immoral and evil, it was more conceivable that an 'evil' person might stoop to such a sinful act. 'Bad' ways of life, like ill temper, quarrelsomeness, alcoholism and other 'unchristian' characteristics and behaviour were, in the minds of contemporaries, significant indicators of what a person was likely to do and were accordingly given close attention in investigations. Past involvement in other crimes or mistreatment of a spouse or parents showed that the person was prone to crime, sin and even violence, all of which suggested that such a 'wicked' person was capable of immorality and violating God's commandments and hence of self-harm.

Conversely, a good reputation and character made it seem less likely in unclear cases that the accused had committed suicide. Adjectives like joyful, glad, pious, diligent, content and patient were used to argue for the likelihood of unintentional death. Most importantly, the suspect's devout religious practice and 'godly' or God-fearing ways of life were used as arguments that the death could only have been an accident. The view was, as mentioned in an investigation in 1694, that a pious Christian could not, at least while in his right mind, commit suicide.[112] For example, Christian piety and devout religious practice were decisive evidence that led to the acquittal of an old, blind widow in 1691. Unsurprisingly, suspicion of suicide arose when she was found drowned in a brook near her yard, having removed some of her clothes. However, regardless of testimonies about her complaints about having to live so long in her sickly condition and having said that she would not die unless she killed herself, the trial resulted in a verdict of accidental death—an interpretation that the Court of Appeal soon overturned, denying her Christian burial.[113]

The abovementioned counter-indicative and mitigating arguments usually worked when establishing whether a suspicious death with scant evidence had been a suicide or not, and it was not uncommon for the family members of the deceased to actively claim unintentionality by invoking them in the acquitted and unclear cases in the material. After all, if they cared for the reputation of their kin member or their family name, they had an obvious interest in getting the case acquitted and classified as an accident that would allow an honourable burial and funeral rites.

In undisputable cases, in which the suicide was obvious for example due to eyewitnesses, known previous attempts or hanging as the method, these personal characteristics were pleaded for other reasons, namely in order to receive a more lenient form of punishment. The impact of the reputation, personality and status of the accused on sentencing is further discussed in Chapter 5. There were stereotypes or even archetypes of what kind of people committed suicide (notably the insane and the 'wicked') and what kind of people did not (notably the devout).

Many court records include clear signs of the negotiation, with various local people arguing for the accused and portraying them in a positive light while others produced damaging circumstantial evidence. Still, most records conceal the differing opinions and disagreements in the trials, possible because the scribes aimed to make a coherent narrative of the established 'truth' that would be credible for the Courts of Appeal. The negotiation is at its most significant in the controversial cases that included both incriminating and counter-indicative (mitigating) evidence of suicide.[114] A case from the town of Hedemora in central Sweden provides a good example of this. In July 1687 a local burgher and trader, Anders Rusbonius, was found face down in a lake and covered in blood, and a week later the Town Court convened to investigate whether his death was self-inflicted and intentional or accidental. Many argued that he had used bloodletting in an attempt to cure a headache and that this had led to his untimely demise. However, suspicion of suicide had arisen because he had done so alone by the lake and had often bemoaned his lot in life. The local clergy, his kin and many of the aldermen on the jury who knew him personally described his worries and talk but emphasized and pleaded for his piety and peaceful disposition, praising his religious practice, contentment and good reputation. Most in the jury considered it impossible that he had killed himself given his godliness and generally good life. Even Biblical examples of suicides by highly devout individuals were discussed at the trial. However, some found his recent behaviour too suspicious and incriminating. As the jury could not reach a unanimous verdict, it was decided that it would be best to allow a burial in the churchyard in the presence of the vicar, albeit without certain ceremonies. The lower court regarded the case as an unclear case (*mörk sak*) and probable accident and did not give a verdict of suicide but only this type of *poena extraordinaria*. Later the Svea Court of Appeal dismissed the case entirely and allowed a Christian burial with full ceremonies.[115] Favourable local social ties came into play here, and, in particular, the

man's high social standing due to his character and reputation was interpreted as counterevidence.

Thus, there were some established notions as to what evidence, especially that related to a suspect's behaviour, were incriminating or counter-indicative in resolving the issue of guilt. Thus, an interpretative framework existed as certain signs and essential elements were recurrently invoked, discussed and referred to in establishing suicidal intention. However, as noted, the ambiguity in the law concerning the insane resulted in varying treatment and classification of the involuntary, accidental deaths of the insane. Also, regardless of these shared views on circumstances pointing to either suicide or an accident, the evidential value of the pieces of evidence could be given different emphasis case by case, depending on the deceased suspect, as will be shown in Chapter 5. After all, the existing legislation and judicial guidelines lacked clear directions on how to investigate suspicious deaths and on the evidential value of indirect, circumstantial evidence. Thus the interpretations were made at the local level, where various interests, personal relationships and preconceptions of the deceased suspect influenced the outcomes of trials in the lower courts. The general 'professionalization' of the judicature, including the increased presence of educated district judges, does not appear to have occasioned any major changes in this casuistic interpretation of evidence that continued throughout the period in question. However, one can note that the investigations and questioning generally become more thorough in the last decades of the seventeenth century. This may be attributable to the better education of the judges and their growing experience in trying suicide cases or the possibly increasing guidance and investigatory requirements from the Courts of Appeal. On the other hand, the investigations becoming more meticulous and detailed may only be the result of the changing style and expectations of the lower court records, which generally became more exhaustive and precise in the latter half of the seventeenth century.

In One's Right Mind or Not? Determination of Insanity

If establishing the intentions of an already deceased person was tricky in many lower court investigations, so was the determination of his mental state. As the suicide chapter in the law prescribed different forms of punishment for suicide for those mentally sane and insane, the lower courts

faced the challenging task of assessing and determining the mental health of an already deceased person. Sanity and insanity were relatively vague categories in early modern Swedish urban and rural communities, as well as in legal thinking and praxis. Labelling a person insane was one way to convey to others the forms of behaviour that were unacceptable, to control community members and subjects and to make sense of otherwise incomprehensible behaviour—thus, as is well known, the determination of the insanity and categorization of certain individuals as mentally insane is inextricably linked with power and power relations.

Earlier research offers only a little information and comparative material on the judicial investigation and classification of a suspect's insanity in early modern Sweden. Its focus has been on the criminal liability of the insane rather than on the practical investigation and determination of mental states.[116] Research concerning other areas of early modern Europe similarly mostly discusses the legal position of the insane, and, in particular, the insanity defence, but studies on the practices related to the investigation and classification offer useful points of comparison.[117]

King Christopher's Law or other legislation or written guidelines said little of the insane, and still less of how insanity should be investigated and established. The insane were mentioned in the law only in relation to homicides and suicide. The legislation did not, like some of its predecessors, require that the insanity of the perpetrator was publicly declared, but it required that the insanity was widely known, i.e. in the public domain, if the perpetrator was to be dealt with as an insane person. This was also a prerequisite referred to in the suicide chapter of the law.[118] But the chapter goes further: only a person whose insanity was generally known and who was out of his mind to the extent that he was incapable of avoiding accidents was to be punished as an insane suicide. As we shall see, this latter formal prerequisite of quite 'full' or total madness created confusion in the lower courts. The letter of the law recognized no middle ground or temporary insanity.

In other types of crimes, the scant legal criteria for classifying perpetrators as insane, and thus entitling them to receive a modified, more lenient form of punishment for their crimes, were generally ignored, or at least very flexibly applied in legal praxis. Also, the letter of the law was applied very freely when it came to deciding the forms of punishments for insane criminals. There was no uniform practice: for instance, the punishment for homicide could be anything from death to expulsion or fines, or even, albeit rarely, leaving the perpetrator entirely unpunished.[119] This variation in practice likely resulted in part from the fact

that the application of the law transformed in legal praxis: even if the written legislation was outdated, the praxis could follow contemporary currents and, for example, Court of Appeal precedents. This also applied to what and who could be considered legally insane and eligible for the penalties or commuting of punishments reserved for insane criminals.

As in most of Europe at the time, where the terminology and categorizations of insanity were expanding, especially in the field of medicine,[120] notable Swedish legal scholars expanded in their works the mental states that could warrant a commuted, reduced form of penalty reserved for the insane. These included very specific conditions such as minority, dotage (*fenectus decrepit*), delirium, childishness (*puerilis*), furor, melancholy, and simply having acted out of one's mind, while alienated in one's mind or on impulse.[121] Already an early law draft completed by 1605 had proposed that not only the suicides who had been raving mad (*rasande*) or mentally delusional (*huffwudwill*) but also those who had killed themselves in a state of great (mental) weakness induced by illness (*stor siukdoms swagheet*) or melancholia were to be considered insane.[122] No doubt these views of the educated lawyers both reflected and drew upon contemporary medical notions on insanity. The law commissions preparing and drafting a new law also expanded and laid down degrees of mental derangement that could allow a reduced form of punishment for insane suicides,[123] and finally, the new law of 1734 included a range of pathological mental states, including mental weakness, raving madness (*raseri*) and 'other such torment', to satisfy the law's criterion for 'insane suicide'.[124] Yet the earlier legal guidebooks or proposals did not change the outdated, medieval law, and royal ordinances, letters or other documents with statutory force did not deal with the prerequisites for an insanity plea in criminal cases.

The Courts of Appeal certainly used their discretionary powers and applied the law quite freely, without taking into consideration the rigid formal criteria for insanity. Just as the Court of Appeal had the final say on the sentence and form of punishment of felonies, it also had the final authority to determine the insanity of the perpetrator. In decisions on the insanity of suicides, the Courts of Appeal did not require that the person be insane to the extent of being unable to avoid accidents, nor even that the insanity had been widely known. Diminished mental capacities, i.e. not the 'full' madness prescribed in the letter of the law, were adequate for the milder form of punishment reserved for insane suicides. These 'mentally weak' individuals included minors whom witnesses

nonetheless had considered sane, melancholics, old people in their dotage, people whose mental state was impaired by fever or other illness, and people who had been temporarily insane.[125] It is noteworthy, however, that based on the extant documents the Courts of Appeal usually agreed with the lower court on the classification of mental states. On the occasions when it revised the classification, it usually worked in 'favour' of the accused in suicide cases: that is, the Court of Appeal re-classified a person sentenced as sane in the lower court as having been insane, and thus deserving the lenient form of punishment.[126]

Ideally, in making decisions the lower courts were to follow the more formalistic legal prerequisites. However, the Court of Appeal practice and precedents at times influenced the legal praxis at the lower level, although officially such 'rough justice' was not allowed in the lower courts. Still, some judges and juries felt that they were bound to follow earlier court decisions and examples, especially when they originated with the King or the Courts of Appeal.[127] Thus the lower courts were in an ambiguous situation: they had, on the one hand, the medieval law-book with strict criteria that they were supposed to follow, but on the other the changing Court of Appeal categorizations and criteria for insanity. On top of this, they had local opinions and interests to consider.

As in most of Europe at the time,[128] lay witnesses and diagnoses of relatives and friends played a significant role in providing evidence of the mental state of the accused. However, the opinion of the family members was rarely sufficient proof of insanity; the lower courts no doubt recognized the motivation for pleading insanity. Thus neighbours and other villagers or townsfolk were also approached. The public in the lower court could provide more local opinions, and the *tingsvitne* (joint witness by the public assembly on general local opinion) was a way to fulfill the formal or ideal requirement that the insanity was public knowledge. Vicars and other local clergy were often called as witnesses on this; after all, they were presumed to have some expertise or at least knowledge of the matter as the consolers of the sick and the insane among their parishioners. The insane often turned to—and were expected to turn to—their clergy as turning to God was considered the best cure for illnesses.[129] In general, the medically inexpert laity and clergy determined insanity. As mentioned, doctors or other medical experts were not involved in the investigations, and in the material they were consulted only once on a question of mental state.[130]

The early modern Swedish and Finnish terminology related to insanity manifests the understanding of the insane as people with deficits in their mental capacities, in their mind, reason and sense. In other words, they were deviant by reason of their impaired or lacking abilities in areas that were considered basic in every human. The most common concepts applied to the insane appearing in legislation and the judicial material were umbrella terms encompassing various mental illnesses and symptoms: *afwita* or *affwita*, literally *out of one's mind* and *hufwudswag*, mentally weak or weak in the head, or suffering from mental weakness (*hufwudswaghet*). Other terms used in labelling the insane range from *fån(ig)* (fool) and *galen(skap)* (mad/ness) to *wet(e)lös* (witless, mindless or senseless), *vettvilli(n)g* (lunatic) and suffering from *hufwudyr(sl)a* (dizziness in the head).[131]

Unfortunately, the specific terminology of lay testimonies remains unknown as the scribes edited and paraphrased, and in the Finnish-speaking areas, even translated what was said in the trial. In the lower court records, insanity was described with the above general terms and by describing the behaviour of the 'mad', i.e. the symptoms and manifestations of their condition. The interchangeability of terminology in the lower court records suggests that there were no clear-cut concepts or typology, although the vernacular terms mentioned above have different connotations and describe at least varying degrees of insanity; for example, a mentally weak person or a *fåna* was more mildly insane than a *wild* or mad person. Scholarly notions of insanity or vocabulary are rarely visible in the records; after all, scientific and theoretical discussion of insanity was scant in Sweden at the time, and the testimonies were primarily given by lay members of the local communities. At times the records also refer to specific mental illnesses, such as *melancholia* (more often with the demotic term *swårmodighet*) or *raseri* (raving madness, furor). It is noteworthy that medical and scholarly terms related to insanity, like *melancholia* or *delirium/delira*, or other more sophisticated terms like *hypochondria* and *colica*, hardly appear at all in the lower court records until the 1680s. The increasing use in later years of scientific terms is another sign of the professionalization of the judicature; at least some of the scribes composing the protocols, if not the judges and other lower court actors, had become more familiar with the terms through education and experience, such as possibly through reading the letters sent by the more erudite Court of Appeal lawyers. Still, some of the more educated

witnesses, like the clergy, more likely used the more medical-scientific terms for insanity.[132]

In the investigation, the witnesses could be asked outright whether they considered that the accused was sane or insane, or whether they had noticed any signs of insanity or mental weakness. The questions were usually very general, which allowed the witnesses to describe the perceived insanity more or less in their own words. When the interrogation is recorded in more detail, a common question was whether the accused had behaved or talked strangely in his lifetime. If the answers to the above questions were simply 'no', the lower court did not require the witnesses to give reasons for this interpretation—in other words, sanity was the norm and did not require validation by further description of sane behaviour. Rather, the presumption of sanity needed to be rebutted with claims of insanity that required further evidence. Witnesses were to elaborate if they considered that the accused had been insane by describing in greater detail the behaviour and talk that led them to believe this. The lower courts required and scribes included such descriptions in the records to convince the Courts of Appeal of the grounds for their classification and verdict.

In the lower courts, various pieces of information were regarded as valid proof of insanity. They include descriptions of 'insane' behaviour and talk and other individual testimonies corroborating the insanity of the accused, the opinion of the vicar, *tingsvitne*, and testimonies on local responses to the insanity, like confining, guarding, counselling or praying for the insane accused, or on the accused's history of mental illness (i.e. descriptions of earlier fits, past mental illnesses or long duration of the condition) or insanity having run in the accused's family. The witnesses (and court records) focused on describing the behavioural and audible signs of madness as seen by a lay, casual observer rather than producing medical models and discourses of insanity.[133]

The behaviour associated with insanity by the witnesses assumed various forms. All had to do with disruptive behaviour, i.e. behaviour considered abnormal and unacceptable that unsettled the natural flow of everyday life, the order set by God and the continuity of traditions. Especially those breaching the manifold role expectations such as peasant master, mistress, husband, wife, father, mother or adult upset the harmony. The local communities construed sanity largely as desirable, acceptable, undisruptive and 'normal' codes of conduct and thus insanity as diametrically opposed to this. The 'rules' an insane person breached

were mainly unofficial and unwritten. However, in order to classify deviant behaviour as a manifestation and evidence of insanity, it was necessary to establish that such acts were not due to culturally understandable, 'rational' reasons, like passions of anger, revenge or other motives. An 'insane' person acted in a disorderly manner without an apparent cause and had to demonstrate diminished mental capacity, for example inability to control or to understand the purposes and consequences of one's behaviour. 'Insanity' might imply anything from raving or breaking things, running around naked, having delusions, talking to oneself, crying 'too much' or being unable to work—as long as others considered this behaviour to be caused by defects in the person's mind, and irrational or inexplicable according to cultural and social convention.

In particular, inability to control oneself and rogue violent behaviour were conspicuous symptoms which made the person stand out from the crowd and were thus easily recognized and accepted as signs of insanity.[134] To give an example, Jöran Jöransson, a Finnish immigrant living in a mining locality in Central Sweden, had long been suffering from *raseri* (fury, raving madness) that assailed him from time to time. During his fits, he was a danger to the community and had to be guarded and tied down so that he would not run away. The witnesses and the judiciary had no hesitation in classifying him as an insane suicide. Individuals described as *rasande* suffered from a long-established, severe mental illness characterized by fits of fury, frenzy and senseless violent behaviour.[135]

In general, people exhibiting excessive emotions for incomprehensible reasons were described as insane in the lower court trials.[136] So too was other abnormal, erratic and absurd behaviour such as disappearing, 'running around in the woods' (a recurring phrase) or screaming. For example, in the suicide trial of Brita Mattsdotter, who had hanged herself in 1683, all jurors agreed, having heard testimony to her inability to dress herself and about her running around barefoot, that she had taken her life while insane. In her last days, she was also claimed to have imagined that there were needles on the floor and to have constantly tried to pick them up.[137]

As in Brita's case, delusions were considered clear manifestations, and thus evidence, of mental illness. Besides hallucinations, other delusions and groundless fears, persecution illusions and groundless belief of being guilty of a crime were mentioned as signs of insanity. For example, Maria Andersdotter's insanity included delusions and fears that people were

watching and gossiping about her and calling her a thief's wife, as well as a hallucination of an unknown man telling her to kill her children. Her first bout of insanity, according to her mother's testimony, occurred after her husband had beaten her severely. Maria's brother stated that her husband 'had scared her out of her mind'.[138] Sven Olufsson, a blacksmith, had had delusions of persecution that had plagued him for months before his suicide. The scribe included in the records how his 'great mental weakness' (*Stoor Hufwudswagheet*) and 'delirium' had resulted in his master guarding him and even seeking medication from a pharmacist.[139]

Testimonies of such blatant manifestations of insanity generally caused the lower courts to totally exclude the possibility of the accused being of sound mind. Also, multiple testimonies of having to guard the person due to 'madness' sufficed to establish the 'insanity defence', as were proved confinement or rare instances of hospitalization or guardianship of the person. However, it must be taken into consideration that typically only the most dangerous lunatics with no kin to support and guard them were confined in the rare and small hospitals of the Swedish Kingdom; hospitals were still primarily for those infected by leprosy, or in towns for other destitute disabled.[140] Instead, according to the descriptions of the 'insane' in the court records, the vast majority lived among their kin or otherwise within their village communities. Some were more disruptive, like the examples above, while most were considered deranged to a lesser degree. Extraordinary, even immoral behaviour was tolerated and overlooked as long as the threat, harm or burden such individuals might impose on others was not considered excessive. Indeed, many of the 'insane' were, although stigmatized, still members of their local communities and able to support themselves by work. The typical rural communities were quite tolerant when it came to 'different' and deviant persons, and 'village idiots' or other harmless, 'less' insane could find their niche.[141] Placements under guardianship, hospitalization or other previous involvement of formal institutions, such as the lower courts or parish organs, appear to have been very uncommon; one would expect that these would have been good arguments used by the kin but they were not mentioned in the suicide trials.

Indeed, not all those considered insane by their communities or by some witnesses were as 'fully' insane as suggested by the rigid legal definition in the suicide chapter of the law. Most of those presented as insane in the suicide trials were mentally deranged to a lesser degree; their

abnormal behaviour, or inability to work or to take care of themselves because of diminished mental capacities, was typically less severe, occasional or periodical. Those who were mostly lucid and acted as if sane were difficult to categorize: they appear to have been viewed by the local people as borderline insane.[142] Thus, alongside complete madness as the total loss of control over oneself, there were various degrees of mental deviance that in lay thinking still fell under the umbrella of 'insanity'. However, these degrees of mental derangement did not necessarily meet the legal criteria for the insanity plea which, as mentioned, required 'full' insanity.

For example, some of the physically ill appeared insane to others; among these, those who had killed themselves while suffering from high fever (*bränneſiukdom, feber*) were represented as mentally weak and deranged. Although their delirium or 'dizziness in the head' and inability to understand or control their actions was temporary, caused by their fever, they were sentenced as insane suicides.[143] Other illnesses affecting the head and mental capacities, like terrible headaches, were also referred to when describing the accused as insane, but the lower court classifications on insanity varied.[144] People suffering from epilepsy were also considered insane, at least during their epileptic fits, and on the rare occasions when they appear in the material, were sentenced as insane suicides.[145] Those mentally disabled or suffering from intellectual disabilities (typically called *fåna, fåkunnig* or *enfaldig*), were another problematic group; they were considered to have diminished mental capacities but the local witnesses appear to not have regarded them as wholly insane and the lower courts did not deem them to meet the criteria for legal insanity. For example, in 1698 a young man, Olof Olofsson, had been injured as a child and as a result, had the mental age of a child. Although he had at times acted 'dizzily' and run amok in furor (*yrheet och rasorg*) he was described as still practising religion like others and no one had seen him so deranged that he did not know what he was doing. The lower court did not consider him 'sufficiently insane' and passed on him a sentence for committing suicide while sane. The reasoning behind this classification, specifically mentioned in the sentence section of the lower court record, was that he had been healthy enough to eat on the day of his death.[146]

Such liminal mental conditions, neither completely sane nor insane, were difficult to classify. Similarly, those suffering from infirmity (*ålderdoms swaghet*, a physical and mental condition that made the body decrepit

and the mind alienated due to old age) could be described as more sane than insane.[147] The mental states of minors (under 15 years old) who had killed themselves were also categorized case by case in the lower courts, although they were considered by legal scholars not to possess full mental or legal capacities.[148] However, as mentioned in Chapter 2, a precedent created in 1695 allowed minors a silent burial in the outlying spots of the churchyard, stating that the legislation on suicide should not be applied to minors for their suicides were comparable to accidental manslaughter.[149]

Temporary and partial insanity were problematic issues in the suicide trials, as in other criminal trials.[150] As elsewhere in Europe, where the legal criteria similarly demanded full madness or continuous derangement,[151] the legal praxis concerning the temporary or partially insane varied case by case and the insanity had to be defined and negotiated at every trial. As the cases above show, in practice 'temporary' insanity related to another illness, like fever, headaches or epilepsy, at times served as acceptable grounds for the 'insanity defence' in suicide cases. Criminal cases of temporary insanity created confusion and were open to contention.[152] For example, in 1679 the lower court could not decide whether Joen Anunsson, an old man who had killed his wife during a fit of insanity (*sinnes yrsle*) a decade ago, had been insane when he had hanged himself. While other locals considered that he had *not* been insane in recent years, the vicar thought that he had acted while 'dizzy in the head' (*hufwudyrssla*). The lower court referred the case to the Court of Appeal.[153] In 1678 in Kexholm, Jacob Thomasson Ofwaska had been a 'fool' (*fånat*, here probably intellectually disabled) since childhood and 'no better than insane' (*föga bättre än afwita*), even according to the jurors. The vicar described his lunatic behaviour, including reading backwards and seeing illusions of a creature in the woods, and no one could think of any reason why he had hanged himself. However, when passing sentence, the lower court pointed out that he had been only 'half-insane but not fully out of his mind' (*halftokot men eij fullkombl. ifrån wetet*), and moreover, that he had not been insane to the extent that he was unable to avoid accidents, the criterion for insanity in the law on suicide. Thus Jacob was sentenced, as a sane suicide, to be taken to the woods and burnt.[154]

The most common type of partial, or at times temporary insanity discussed in the suicide trials was melancholy. The problem was that the same behaviour could be understood as a manifestation of *either* insanity

or an emotion of rational origin. Thus, when investigating the mental states of persons who were not considered totally mad but not entirely in their right minds, more had to be taken into consideration than their deeds, behaviour and gestures. In such borderline cases interpretations of the cause and motive of the odd conduct, or of the suicide itself, determined whether or not the witnesses and the lower courts considered the person insane. In the case of *melancholia*, an illness and form of insanity generally known as 'gloomy-mindedness' (*svårmodighet*),[155] the same 'gloomy' behaviour and mood, such as crying, lamenting, sighing and general downheartedness, could be regarded as a product of a particular illness, melancholia, or natural emotions and despair induced by some calamity or adversity in life.

In the scientific thinking of the time, melancholia had various forms and connotations, one of which was its pathological form, the illness melancholia. Like most other disorders, it was, according to the humoral theory, caused by the imbalance of the bodily fluids or humours, especially by disturbances, corruption or excess of black bile. The illness manifested in prolonged sadness, low spirits and world-weariness, at times combined with hallucinations and unreasonable fears, and at worst suicidality.[156] However, melancholy and its vocabulary not only referred to the illness but also to a temperament, a person's natural, inborn constitution. They were also at times used to refer to the natural passions of grief and sad emotions that could arise from misfortunes or occurred periodically due to the continual flux in the humours. By contrast, in the pathological condition of melancholia the behaviours and emotions were prolonged, insuperable and seemed excessive and groundless—melancholia emerged without an obvious outward cause. On the other hand, the passions induced by adversity in life could also trigger an imbalance and a state of enduring sorrow.[157]

The lay witnesses in early modern Sweden certainly recognized and often gave evidence of the melancholia illness (typically *svårmodighet*, at times *melancholia*), considering such individuals insane and deserving to be sentenced as insane suicides. They described symptoms like excessive lamenting, weeping, bemoaning, sighing, fatigue, lack of appetite, restlessness and insomnia. Melancholics were said to have complained of the aches and heaviness of the heart and 'heavy', gloomy minds and thoughts. Death wishes, suicidal talk and previous attempts were also connected to the illness. In some cases, overwhelming fears and delusions were associated with this form of insanity. Also, the witnesses

recognized and referred to 'melancholy' emotions and distinguished them from the illness.[158] Many whom most of the witnesses otherwise considered sane and in their senses were described as having been, talked or behaved *melancholisk* or *swårmodigt* or having had 'gloomy thoughts' (*melancholiska/swärmodiga/swåra tankar*). However, the witnesses perceived some 'rational', understandable reasons for these temporary melancholy feelings.[159] For example, Gabriel Johansson, a gatekeeper in the town of Vaxholm, was considered a clear-headed, sincere man, but he had had heartache and gloomy thoughts before shooting himself in 1682 because the previous year he had hit an old man on the head—a blow that had later resulted in the old man's death. He was therefore punished as a sane suicide.[160]

As the manifestations of 'natural' grief and low spirits and the illness of melancholia were so similar, the distinction between them hinged on whether some negative life event was deemed to have caused the condition. Within the framework of suicide investigations, something other than insanity in the background of the accused that could be conceived of as 'a good reason' to kill oneself might be construed as the reason for such 'melancholy' emotions and thus serve as a sign and proof of sanity. These factors might include, for example, interpersonal disputes, financial hardship, bereavement, guilty conscience or trouble with the law; in other words, any misfortune that might cause anguish could be understood to induce suicidality and thus serve as a 'rational'—though not justifiable—motivation for killing oneself. Hence the same information could serve as incriminating circumstantial evidence that death was intentionally self-inflicted and as evidence of sanity.

Understandings of the distinction between melancholia and 'rational' melancholy emotions were connected to the prevailing moral-religious and theological views on despair. In theological discussions, 'melancholy' emotions might be regarded as expressions of spiritual doubt and lack of trust in God, i.e. the sin of despair. Even though some melancholy and despair was thought to be a natural part of a Lutheran's life, with God teaching one to endure suffering, to recognize one's own weakness and to fight devilish temptations, such experiences—and any adversity causing them—were to be overcome by turning to God and trusting in Him.[161] As Niels Hemmingsen stated in his book *Antidotum*, devoted to the subject of despair and published in Swedish in 1608, the causes of despair were various, including worldly misfortunes and worries, ignorance, the conviction that one had committed an unforgivable sin or had

led such a sinful life as to be entirely in the Devil's clutches.[162] In the case of individuals with such backgrounds, their suicide further proved the culmination of their despair; despair was thought to culminate in suicide and thus be the ultimate proof that a person had succumbed to it. Despair was certainly a familiar concept and at times explicitly mentioned in the sentence section or elsewhere in the court records.[163]

The intricate notions on the relationship between melancholic emotions, the devil's influences, despair and suicide become apparent, for example, in the case of Justina Bylou, a major's daughter and a vicar's widow, who made several suicide attempts. Her situation was discussed in the summer court sessions of Kemi in Northern Ostrobothnia, Finland in 1681. In the sessions, Sigfridus Christierni, a curate, wanted to clear his name and refute the accusations of Justina's father, who blamed him for betraying his promise of marriage after he had seduced Justina. As a result, Justina had despaired and attempted to kill herself numerous times. Yet Sigfridus claimed to have nothing to do with the matter, arguing that the devil (*den fuhle anden, diefwulen*) had filled Justina's heart with gloomy and melancholic thoughts in her sleep, after which he tormented her and drove her to despair and suicide attempts.[164] The concepts and notions of melancholia, melancholy and despair had long been inextricably linked, especially in religious discourse. Some of the Protestant writers attempted to maintain a distinction between melancholia as an illness, feelings of sadness, melancholy and despair related to worldly troubles and characterized by devil's temptations, and even the kind of despair that was divinely sent to afflict one's conscience and test one's faith.[165] It is safe to assume that if the distinction between 'sane melancholy' and melancholia as insanity/illness was vague for scholars, these conditions were also confusing for the lower courts and the common people in early modern Sweden. Nonetheless, although it is difficult to say whether the demotic understandings of the aetiology of gloomy-mindedness as a form of insanity, despair and suicidality corresponded to contemporary medical or theological views, in the court records such states and the links between them were indeed recognized. Insanity and despair were understood as common 'reasons' for suicide, the two being distinguished according to the interpretation of the causes of deviant behaviour and emotions.

The typical line of thinking may have been as described above, but this does not mean that opinions always coincided. The line between melancholia as an illness and melancholic emotions or despair was fine,

and the witnesses and lower courts were selective as to whom they regarded as insane and whom not. Some were considered to be suffering from melancholia and, thus, considered insane even if people and the lower courts were aware of certain incriminating circumstances in their lives. As will be further discussed in Chapter 5, comparing the different records in which people who had died in apparently similar circumstances were judged to be either sane or insane shows that such discretion was applied especially in cases where popular community members of good reputation had committed suicide.[166] Similarly, in the case of those considered otherwise mentally weak and deranged, adversity mentioned by the witnesses that could have been easily considered a cause of despair was sometimes overlooked.[167]

As in the case of melancholia, the insanity plea could be overruled in cases of other forms of insanity if something emerged that was indicative of premeditation or 'rational', factual causes for despair. Again, at the core of the arguments lay the factors perceived as initiating the suicidal urges: had the person been out of his senses and had no reason to kill himself or was there something in his background that could produce despair. Temporary and milder forms of insanity were, as elsewhere in Europe,[168] controversial issues, and opinions might be diametrically opposed in such borderline cases. For example, in Turku in 1666, Margaret Simonsdotter's sister claimed that some time before drowning herself, her sister had become mentally weak, and another witness stated that Margaret had lost her mind to the extent that she did not know what she said or did. However, the vicar considered that she had been in despair (*despererat*) as Margaret and her sisters had recently been involved in legal action against the former vicar. Although a witness recalled that Margaret had not been gloomy about that, the Town Court still determined that she had not been insane.[169] In Mora in 1664, Hans Larsson, already in his nineties, was not only described as having suffered from 'great infirmity and impediment' related to his old age, but also as having suffered from delusions and fears. He was cared for by his kin before he hanged himself. Even if his family and some community members considered him more insane than sane, it was noted that he had nonetheless always been a diligent churchgoer and had otherwise led a peaceful, good life. Moreover, he had grieved over his wife who had recently died, complained that he was living too long and thought that he had done something in his past that God would not forgive, and for which he would be imprisoned. This led the lower court to suspect that

he might have had pangs of conscience over something and 'a great fault in mind'. Thus his fears and suicide were not necessarily the products of insanity and delusions. The lower court left the verdict somewhat open, stating that he should probably receive the executioner's treatment, but pleaded for leniency from the Court of Appeal because of his respectable, Christian life and weakness related to old age.[170]

Insanity was explicitly connected to the accused by one or more witnesses in about 40% of the cases (excluding mere mentions of gloomy thoughts). This shows that the bereaved and other witnesses were aware of the significance of the insanity plea when it came to the forms of punishment inflicted for suicide. However, as many of the cases described above show, the interpretations reached and classifications made by the lower courts did not necessarily correspond to what some of the witnesses alleged. Of the sentences passed by the lower court (information about the verdict available, $n=230$), about a third (34%) of the sentenced were classified as having been insane and received the penalties reserved for insane suicides while about 58% of those sentenced were punished as sane suicides. For about eight per cent ($n=15$) the verdict was left open, with no sentence passed by the lower court. These are mostly cases in which the lower courts found themselves unable to determine the state of mind of the accused and referred the judgement to the Court of Appeal.

As some of the cases described above show, at times the lower courts took a strict approach and at times they were more flexible in classifying who had been 'insane' at the time of suicide. For example, the lower courts sometimes decided to follow the medieval law to the letter, as they were ideally supposed to do, requiring fully blown derangement and rejecting 'half-mad' states.[171] However, such literal readings of the law were uncommon in suicide cases.[172] After all, the majority of those sentenced as insane would not, in light of the descriptions of their conduct in the testimonies, have fulfilled the prerequisite of 'full madness', i.e. of being insane to the extent of being unable to avoid accidents.[173]

A single testimony and allegation of some mental weakness was never enough for the lower courts. Even the suicide chapter required that the insanity had to have been 'widely known' in the locality.[174] This was established by hearing multiple testimonies or the local opinion (*tingsvitne*) which showed that the person's insanity was recognized in the neighbourhood, if not further afield. Nevertheless, the lower courts did not require that the accused's insanity had been publicly and officially

declared beforehand, nor even that the vicar had been notified and was aware of the insanity, nor evidence of any public or drastic measures such as that the person had been prayed for, guarded or put in chains. In other words, the formal requirement that the insanity had been widely known in the locality was interpreted loosely and satisfied in practice by hearing the evidence of many local and trustworthy witnesses. The opinion of the local clergy was heeded and could overrule other local opinions. The opinion of the suicide's kin alone was never accepted as adequate proof of insanity; instead, testimonies were gathered from more than one witness and also from witnesses unrelated to the accused. This shows that the lower courts were well aware that the kin might distort the facts in order to avoid the more shameful punishment reserved for sane suicides.

As the numbers above also suggest, the lower courts usually agreed with the general opinion (such as the *tingsvitne*) and multiple testimonies of insanity. It must also be emphasized that the lower courts never ignored multiple opinions of sanity and imposed insanity classification contrary to the views of the local majority. It was extremely rare for persons considered entirely mad by the community to be classified and sentenced by the lower courts as sane suicides. However, again, it was possible if some information pointing to sanity came up in the trial. For example, Eskill Frentsson, a peasant, was said to have gone out of his mind in the autumn of 1674 to the extent that he had run wild in the woods for days. He had begged people to tie him up and imprison him and had suffered fears and delusions, including hearing children crying. The public at the court sessions stated that they were aware that Eskill had been running around mad. However, Eskill's insanity had begun after he had committed perjury at the court sessions in Vyborg by not having reported some goods he had found on a beach. The lower court deemed that his conscience had become disturbed, producing despair, and thus sentenced him as a sane suicide.[175]

However, as we have seen, disagreements and discord between the bereaved and others, witnesses and the lower court, or among the jurors, occasionally arose in cases involving the borderline insane, like the melancholic. Indeed, it was primarily cases in which there was conflicting evidence of the mental state or only the opinion of the bereaved that the lower courts challenged or left the mental health classification open for the Courts of Appeal to decide. Many factors came into play when the lower courts made their classifications on mental health, not least the

legal experience (for example, knowledge of the Court of Appeal praxis) of the members of the lower court or the social dynamics, such as the social status and connections of the accused that will be further discussed in Chapter 5.

Thus, although the letter of the law on suicide did not recognize 'half-mad' states, temporary insanity or melancholia and other mental conditions in which the accused were unable to fend for themselves, the lower courts did. Besides acceptance of local, 'unofficial' categorizations of someone's insanity and thus typically meeting local needs and interests, this looser determination of insanity was related to the understandings of what might constitute insanity that had emerged after the medieval law was written down, and the opinion that diminished criminal responsibility should also apply to perpetrators who were 'less' mad. As mentioned earlier, precedents and Court of Appeal practices influenced the lower court praxis. As the lower courts referred the cases to Court of Appeal, and thus received its information on the confirmed or revised decisions on insanity, its members were increasingly aware of the acceptable forms of insanity and grounds for classifications. On the other hand, the majority of the lower courts rarely dealt with suicides, let alone suicides who could be interpreted as, or were alleged to be insane. However, since the 1650s the district judges governing larger jurisdictions had to have served as Court of Appeal assessors. The influence of Court of Appeal practices was probably indirect; it would have been connected to the acting judges' education, personal experience in the Courts of Appeal and more extensive knowledge of Court of Appeal decisions and classifications in suicide cases. They encountered such cases more often, but still only occasionally in their larger jurisdictions. There were obviously regional differences in this respect: those officiating and presiding in populous and large jurisdictional districts encountered more such cases during their careers.[176]

The influences from the jurisprudential and other scholarly fields and from the Courts of Appeal likely increased therefore in the latter half of the seventeenth century. Some of the district judges with high standing probably had power to influence the course of the investigation and interrogation as well as the interpretation of evidence and the verdict. Trained judges could introduce and guide the lower courts in contemporary juridical and Court of Appeal views on insanity. One possible indication of this personal influence in the suicide trials is the slight differences in the insanity classifications between the various judges' jurisdictions

(*domsaga*). For example, although the numbers of cases are small, it is noteworthy that the lower courts presided over by Lars Stridsberg, the judge of Ångermanland (one the five jurisdictions of judges of the large Västernorrland Province) in the 1680s and 1690s, sentenced far fewer suicides as insane than did judges in other regions. The lower courts in his jurisdiction sentenced only one person as an insane suicide, the rest (11 suicides) being classified as sane, although according to the testimonies many of these might equally have been considered insane.[177] It is plausible that Lars Stridsberg was strict in his classifications and exerted influence over (some of) the jurors in his jurisdiction. As pointed out, after 1680 only a unanimous jury could overrule the judge, although it is unknown how this was applied or played out in the classification of mental states. Nevertheless, this conversely suggests that elsewhere the district judges' more flexible and open personal views and adoption of Court of Appeal practices might have influenced the lower courts in a similar manner, or that the personal influence and authority of judges did not supersede those of the jurors inclined to accept the insanity claims from the bereaved or other local people.

An interesting question is whether insanity classifications increased in the lower courts over time. This could result, for example, from a growing willingness to understand suicide as an act of insanity or from a widening of the concepts and definitions of insanity, either in the local communities or the legal field or in both. For example, Michael MacDonald and Terence R. Murphy have argued that more suicides were categorized as having been insane from the last decades of the seventeenth century in England because 'less' severe mental disorders were regarded and accepted as evidence of insanity—a phenomenon they link to the 'secularization' of suicide.[178] However, it has also been argued that it was not until later, in the eighteenth and beginning of the nineteenth centuries that a wider range of behaviours began to be considered as insanity.[179]

The material shows that insanity classifications in suicide cases increased slightly at the end of the seventeenth century in Sweden. Before 1680 only about 25% of those sentenced were classified as having been insane, while in the last two decades in the lower courts over a third were punished as insane suicides. It is noteworthy that the share of the insanity verdicts appears to have been early on greater than, for example, in seventeenth-century England or Bavaria.[180] Accordingly, the material shows a slight decrease in the classifications of suicides as sane persons,

from 67% before 1680 to 58% between 1680 and 1699,[181] and continued to decline in the early eighteenth century. Still, sanity classifications continued to predominate also in the small sample of cases (information about the sentence $n=52$) from the first decades of the eighteenth century (54% sentenced as sane). However, as discussed in Chapter 3, the number of cases available before the 1680s is low for various reasons related to source survival and jurisdictional questions.

A closer look at the cases reveals a curious change. Although people suffering from various vaguely defined mental disturbances and less conspicuous and severe mental disorders were at times classified and sentenced as insane suicides throughout the research period, it was much rarer before the last two decades of the seventeenth century. In particular, the proportion of testimonies of 'gloomy-mindedness' and melancholia increased—and more importantly, the condition became accepted as a form of insanity significantly more often since the late 1680s. In the decades prior to the 1680s the records seldom refer to the illness and the lower courts rarely recognized it as the kind of insanity that would allow the penalty reserved for insane suicides, but in the 1690s an overwhelming majority of the persons described having been melancholic were sentenced as insane suicides. This suggests not only that earlier the lower courts were stricter, or more confused, in the insanity classifications in this respect, but also that the courts—and the bereaved and other lay persons giving evidence—came to recognize and plead melancholia as the type of insanity permitting the 'insanity defence' and thus mitigating the criminal liability of suicide. It is possible that not only the educated and trained district judges but also lay people were influenced by the praxis of the Courts of Appeal or some other currents regarding melancholic suicides. It is obviously impossible to state what the primary impetus behind this was, but it could well be connected to some sort of heightened and increased general awareness of the condition and its connections to suicide coming from popular culture and medical discourses.[182] There is thus no unambiguous evidence of insanity classifications increasing due to generally widening popular concepts of insanity—only that melancholia, which had for long been considered a mental illness, came to be accepted as 'legal insanity' and an insanity defence in suicide trials.

It would be an oversimplification to interpret this change as a sign of 'secularizing' or 'medicalizing' views of suicide. Even if melancholia interpretations increased and more often served as grounds for successful

insanity pleas, self-killing was, as shown in Chapter 2, still predominantly deplored and condemned on a religious basis. The majority of those who had killed themselves continued to be considered as having acted while of sound mind, i.e. in despair. At the same time, and already in the early cases, the witnesses and lower courts connected suicide predominantly with the deceased's particular life conditions, worldly problems and comprehensible misfortunes, like interpersonal quarrels and material circumstances. These other negative life circumstances are in the majority in the testimonies when compared to insanity claims. Moreover, all this does not mean that references to supernatural powers, namely the devil, were not also referred to when explaining the fall into the sin of despair and suicide throughout the period in question. The devil's influence was indeed at times deployed to make sense of incomprehensible suicides or suicides committed by notorious people[183] and other horrible deeds such as bestiality, infanticide or murder.[184] However, references to the devil are altogether rare in the court records and other secular judicial documents concerning suicide cases. As is well known, the devil continued to have a central role both in the academic discussions, especially in the theological field, as well as in popular culture, although opposing opinions on diabolic explanations of crimes also existed.[185] Thus, it is difficult to say whether this slightly increased recourse to the insanity defence for suicides resonated with, for example, the possibly increasing elite scepticism towards diabolical explanations, as interpreted elsewhere.[186] Various views on suicide, whether secular, medical, religious or other, coexisted alongside supernatural explanations and were not incompatible with the moral or temporal explanations, nor the denunciation of the act. As Susan Morrissey has put it, the process of changes in attitudes could rather be termed a process of hybridization. 'New' understandings of suicide did not displace the old ones and the reactions to the act continued to be case-specific and selective.[187]

As we have seen, the formal requirements of insanity enshrined in the medieval law were loosely interpreted and flexibly met in legal praxis, and the cases of those who were considered temporarily or partly insane or suffering from melancholia or other less conspicuous forms of insanity were treated on an ad hoc basis. The standard of proof of insanity and the legal criteria in the law on suicide were in any case vague and open to interpretation,[188] and left ample room for negotiation and discretion in the lower courts. The investigations into mental health were

characterized by the absence of doctors and medical expertise and the continued determination of insanity by local laymen. In the absence of clear judicial guidelines, mental states were determined based on a casuistic interpretation of circumstantial evidence. Although some ideas on the types and contents of evidence about sanity and insanity existed, as in the case of classifying the nature of the death (that is, determining intentionality), the information gathered from multiple lay testimonies and the letter of the law were interpreted inconsistently in the lower courts. In other words, no uniform legal praxis on mental state classifications or 'insanity defence' existed. The insanity plea could be rejected if something incriminating that attributed 'rational', factual causes to despair and killing oneself emerged in the trial. However, by the end of the seventeenth century, people suffering from melancholia and other, similarly vaguely manifesting mental disorders were more often classified as insane suicides in the lower courts. This suggests that views on the types and degrees of insanity that mitigated the criminal liability of suicide and allowed the penalty reserved for insane suicides expanded and became clearer, perhaps via the Court of Appeal praxis or the professionalization and growing competence of the lower courts. Nevertheless, local opinions and categorizations were typically accepted by the lower courts, and throughout the period in question, the majority of those sentenced for suicide were classified as having been sane.

Notes

1. Jutikkala (1958, 178–79), Soikkanen (1966, 10–11, 16–20), Karonen (1995, 105–6).
2. King Christopher's Law of 1442 (*Konung Christoffers Landslag*, henceforth referred to as KRLL 1442), Judicature Section, Cap. 6 and Karonen (1995, 22).
3. KRLL 1442, Felony Section, Cap. 4.
4. Provincial Archives of Uppsala (ULA): Kopparbergs läns häradsrättsarkiv (KLHA) Serie VII A I: 1, Hedemora 6–7 October 1692.
5. Jutikkala (1958, 177–78), Sundin (1992, 63–67, 450), Taussi Sjöberg (1991), Ylikangas (1996).
6. Kotkas (2013, 39, 55, 83, 97), Sundin (1992, 67–68). It was common that the bailiffs presented cases and acted as prosecutors in other types of crimes. Cf. in France and Flanders the bailiffs usually acted as the prosecutors in suicide cases (Vandekerckhove 2000, 79).

7. For example, ULA: KLHA Serie IV A I: 5, 3–4v, Mora 1 June 1688; National Archives of Finland (KA): Collection of renoverade domböcker (RT) Northern Ostrobothnia (NO) KO a 10: 232–35, Kemi 19–21 February 1690; Riksarkivet (RA): Svea Hovrätts Arkiv (SHA) Upplands län (U) 51: 519–20, Trögd 22–27 September 1690.
8. KA: RT Jääski, Lappee, Ranta & Äyräpää (JLRÄ) KO a 11: 8–16, Vyborg 28–29 January 1670; RA: SHA Västernorrlands län (VN) 15a: 209v–13, Säbrå 17 May 1698.
9. For example, KA: RT NO KO a 7: 256–59, Kalajoki 12 March 1687; RA: SHA U 53b: 556v–61v, Lagunda 20 November 1691 and 61a: 674v–75v, Lagunda 8 April 1697; KA: RT Kexholm KO a 20: 122v–27v, Sakkola, Rautu & Pyhäjärvi 14 August 1699. More rarely, a case might even be introduced by an *ombudsman*, another Crown official. KA: RT NO KO a 12: 719v–23, Kokkola 8 July 1671 and RT Kymenkartano län KO a 2: 320v–21, Vehkalahti & Valkeala 8–9 January 1672.
10. For example, KA: RT Kexholm KO a 3: 1128v–29, Rautu 14–15 July 1663 and RT Kajaani Barony KO a 2: 110–12, Sotkamo 8 April 1680; KA: RT Jääski, Ranta & Äyräpää (JRÄ) II KO a 4: 151–52, Jääski 14–17 February 1688; ULA: KLHA Serie X A I: 2, 74–6v, Torsång 16 July 1691; RA: SHA Kopparberg (K) 30a: 560–62, Sundborn 22 May 1694.
11. Karonen (1995, 142–44).
12. Letto-Vanamo (1987, 131–32), Tamm et al. (2000, 49–50), Nousiainen (1987, esp. 153–54).
13. Karonen (1995, 21–23), Sundin (1992, 51–53).
14. Haikari (2011), Letto-Vanamo (1995, 189–215), Sundin (1986, esp. 59–61; 1996, esp. 176), Taussi Sjöberg (1988), Österberg (1991).
15. KRLL 1442, Judicature Section.
16. ULA: KLHA Serie X A I: 5, 81–83, Vika 3 April 1695. Also, for example, RA: SHA U 53b: 556v–61v, Lagunda 20 November 1691; ULA: KLHA Serie X A I: 5, 70–70v, Skedvi 4 July 1695; ULA: KLHA Serie XXVI A I: 1, Lima 6 December 1698; Ås 17 June 1710 in Bergstrand (1976, 23–25).
17. Blomstedt (1958), Matinolli (1971, 10–13), Mesterton (2002), Sundin (1992, 61–62). For mayors/burgomasters in Town Courts, see Karonen (1995, 2017).
18. Letto-Vanamo (1987, 133–35), Pihlajamäki (2009, 40–64), Impola (2018).
19. Jansson (1998, 73–74), Koskivirta (2009, esp. 209; 2014, 195–97). Mention of a doctor testifying of the mental illness of *jungfru*

Margareta Nyman in Stockholm: RA: SHA B III b 1: 2, 262–3v, Kriminella resolutioner 27 August 1695. Collegium Medicum in Stockholm approached by a doctor inspecting the suspected suicide of a prisoner: RA: Collegium Medicum A 1 a: 2, Protokoll 1706–1720, p. 21–22.

20. Barber-surgeon called to inspect the corpses, but no autopsies in Southwestern and Eastern Finland: KA: RT Vehmaa & Ala-Satakunta (VA) KO a 7: 414–17, Eura 17–18 October 1664 and KA: RT Pien-Savo KO a 8: 205–9, Rantasalmi 17 November 1698. Also, in the town of Hedemora in central Sweden: RA: SHA K 23a: 314v–23, Hedemora 18–20 July 1687. Similarly, in southern Sweden in Skåne doctors or barber-surgeons were consulted only on very special occasions in the investigations of drownings between 1704 and 1718 (Persson 1998, 114–18, 147–49).
21. See also Persson (1998, 114–18, 145–47). Separate visitations were also at times conducted in the investigations of suspected infanticides (Rautelin 2009, 485).
22. KRLL 1442, Judicature Section.
23. Still, there are some cases in which the kin did not for some reason attend the trial—these appear mostly to involve people who had no living kin in the locality or who had a particularly bad reputation and appear to have been disliked even by their kin. For example, ULA: KLHA Serie III A I: 9, 29–31v, Tuna 30–31 May 1665 and KLHA Serie X A I: 1, 109–109v, Tuna 23 September 1689; KA: RT NO KO a 12: 301v–2, Ii 25–27 February 1669, KO a 12: 719v–23, Kokkola 8 July 1671, KO a 9: 235–38, Kemi 22–23 February 1689 and 182–83, Pyhäjoki 29–31 August 1689; RA: SHA VN 14: 240–44, Nätra 5 September 1694; ULA: Faluns rådhusrätt och mag. A Ia: 18, Falun 14/15 April 1697; RA: SHA Jämtlands län 3b: 883–86, Offerdal & Rödön 21 July 1700.
24. ULA: KLHA Serie VII, A I: 1, Hedemora 6–7 October 1692.
25. Instructions to judges from 1545 in Petri (1545, esp. Cap. 31, 37), Rålamb (1674, 110–11).
26. KRLL 1442, Judicature Section, Cap. 21.
27. Kästner (2008; 2012, 64–66), Stuart (2008, 417).
28. For example, ULA: KLHA Serie III, A I: 15, 98–98v, Skedvi 30 July 1672; RA: SHA Gävleborgs län (G) 27a: 436–41, Järvsjö 21 July 1679; RA: SHA K 23b: 892–99, Husby 14 February 1687; RA: SHA U 53b: 556v–61v, Lagunda 20 November 1690; KA: RT Ylä-Satakunta (YS) KO a 17: 529–31v, Huittinen 27 March 1697 and KO a 11: 1323–27,

Loimijoki 7–8 May 1700; Sundal 4 September 1707 in Sjödahl and Edestam (1995, 84).

29. See, for example Matikainen (2006).
30. For the roles and ideals of the clergy, see Stadin (2004).
31. Juva (1955, 26–31), Laine (1995), Lukkanen (2008).
32. Domareregler c. 1611 in Almquist (1951, 56–57); Instructions to judges from 1545 in Petri (1545, esp. Cap. 16, 37); KRLL 1442, Judicature Section, Cap. 21. See also Sogner et al. (2000, esp. 173).
33. Eilola (2009, esp. 32–33), Liliequist (1992, 68). For example, in ULA: Västmanlands länsstyrelses arkiv, Landskansliet (VMLL) D I: 31, Åkerbo 1 August 1695 and ULA: KLHA Serie X A I: 7, 206–8, Tuna 19 October 1697.
34. Letto-Vanamo (1995, esp. 220–25), Sogner et al. (2000).
35. Instruction, for example, Rålamb (1674, esp. 108) and Domareregler c. 1611 in Almquist (1951, 52–56). On the use and institution of oath helpers, legally abolished in 1695, see Inger (1980, 52–53), Letto-Vanamo (1995, 70–101), Aalto et al. (2000, 209–14).
36. Domareregler c. 1611 in Almquist (1951, 52–53, 55–56); Instructions to judges from 1545 in Petri (1545, Cap. 31, 35 and 40); Rålamb (1674, 117). Also Letto-Vanamo (1987, 130–32), Pihlajamäki (1996, esp. 109–10, 128), Österberg and Lindström (1988, 31–32), Nousiainen (1987, 153–56).
37. Hemmer (1968, 138), Nousiainen (1987, 153–56).
38. ULA: KLHA Serie VII A I: 1, Hedemora 6–7 October 1692.
39. Domareregler c. 1611 in Almquist (1951, 52–53), Koskivirta (2001, 174), Pihlajamäki (1996, esp. 126–27).
40. Also, mitigated penalties were at times passed in obscure cases that had partial proof. On *Guds dom* and *poena extraordinaria*, see Pihlajamäki (1996, 73–74, 120–30).
41. For example, Aalto et al. (2000, 223–26), Karonen (1998, 215–16), Sundin (1992, 447–52), Tamm et al. (2000, 36), Österberg (1991, 57–58). For the concept of judicial revolution, see Lenman and Parker (1980).
42. Aronsson (1992, esp. 23–28, 244–47), Haikari (2011), Karonen and Hakanen (2017), Kaspersson (2008), Österberg (1989), Hallenberg et al. (2008).
43. Gustafsson (2010, esp. 160–65), Kaspersson (2008), Sundin (1996), Toivo (2008, esp. 79–81). For a critique of the myth of strong early modern European states in respect to social control and exercise of justice over crimes, see for example Roodenburg (2004), Roodenburg and Spierenburg (2004), Ruff (2001, esp. 73–74).

44. For example, Aronsson (1992, 22–24), Haikari (2011), Toivo (2008, esp. 78–79), Sundin (1996, esp. 176), Katajala (1994, 230–33).
45. See also Sabean (2001, 88–89).
46. More than one case was tried and sentenced as suicide during one decade only in the very densely-populated lower court districts and towns. In fact, the extant judicial documents suggest that the lower courts in numerous localities never passed suicide verdicts, nor even investigated the possibility of suicide in their rare trials over deaths. Similarly, murders and other felonies were very infrequent, occasional sensations (Matikainen 2002, 207–11; Sundin 1986, esp. 53; Ylikangas et al. 2000, 67–76).
47. The form, text, narratives and purposes of typical early modern, especially seventeenth-century Swedish lower court records are thoroughly explained and presented in Toivo (2008, 94–101).
48. For example, on investigation and identification of the signs of suicide in early modern England, see MacDonald and Murphy (1990, 57, 222–33); in the Low Countries, see Vandekerckhove (2000, 77–85).
49. See, for example, Vilkuna (2010a, 40–44).
50. Koskivirta (2014, 196–97), Persson (1998, 114–18), Koskivirta (2009, 294–97).
51. For example, in various regions of the Low Countries surgeons and doctors regularly conducted post-mortems and provided testimonies of suspicious deaths, and in the Archduchy of Austria barber-surgeons were often sent to inspect the corpses (Luef 2016, 99; Vandekerckhove 2000, 79–80). In turn, the use of medical expertise was very rare in early modern England, despite the much greater availability of professionals (MacDonald and Murphy 1990, 225–26).
52. On the role of vicars in determining causes of death, esp. for burial registers, see Koskivirta (2014, 195–96, 198), Vilkuna (2010a).
53. RA: SHA U 49a: 292v–5v, Hagunda 22–27 June 1689. In the investigations into suspicious drowings in early-eighteenth-century Scania, see Persson (1998, 116, 145–49).
54. In investigations into suspected infanticide and other homicides, see Bergenlöv (2004, 13, esp. 359–76), Koskivirta (2009, esp. 294–305; 2014, 196–97), Matikainen (2002, 137–47). Cf. coroners or other judicial authorities conducting the crime scene investigations in early modern England, France and many Belgian towns, see MacDonald and Murphy (1990, 110–11), Vandekerckhove (2000, 43–44, 78–79). Cf. In Sweden the Code of 1734 stipulated that the judges and bailiffs were responsible for making sure that the corpse was inspected, without detailing who should conduct the inspection, in cases involving suspicious deaths. Code of 1734, Missgärningsbalken, Cap. 28, § 6.

55. RA: SHA G 36a: 350–56, Ovansjö 4 May 1689.
56. KA: RT NO KO a 49: 560–70, Kemi 23 July 1733.
57. ULA: KLHA Serie V A I: 1, 309–16, Garpenberg 20 December 1690.
58. See Hooff (2000, 97–98), Murray (2000, 430–35, 493–504), Watt (2001, 29).
59. Vadstena 1604, in Ericsson (1952, 349–50, 397, 410). Presented and discussed in detail in Sandén (2014, 25–55). Also, two cases with signs of hanging and/or self-afflicted strangulation were acquitted: KA: RT JLTÄ KO a 5: 289–91v, Äyräpää 10–12 November 1663 and Lappee 1660/1661, presented in Silvennoinen (2011, 208–11).
60. See also Letto-Vanamo (1987, 132–33), Nousiainen (1987, 153–56).
61. Sentenced as suicide although the death occurred later than the self-inflicted wounds: KA: RT NO KO a 7: 478–79, Ii 9–10 April 1652; RA: SHA U 42: 604v, Svartlösa 17 November 1682; RA: SHA Uppsala län, 48a: 437v–442v, Ulleråkers 17 May 1688; KA: RT Kymenkartano & Lappee KO a 3: 299v–303v, Lappee & Joutseno 11–13 June 1688; ULA: Uppsala länsstyrelses arkiv, Landskansliet (ULL) D II d: 36, Frötuna 8 March 1695; Landsarkivet i Härnösand (HLA): Gävleborgs länsstyrelses arkiv, Landskansliet DIIa 14: n.p. Sidensjö 25 May 1711. Cf. RA: Riksarkivets ämnesamlingar Juridika I: Becchius-Palmcrantz' juridiska samlingar (BP) Vol. 5, 23–25. The parties concerned in assaults and fights were obliged to answer for the injuries inflicted up to a year and one day later. Thus, many also received criminal sentences for violence when the victim passed away some time after the incident. KRLL 1442, Section on willful wounds, Cap. 16; Matikainen (2002, 139–40).
62. See also MacDonald and Murphy (1990, 228–29), Murray (2000, 495).
63. Also discussed, for example, in MacDonald and Murphy (1990, 57), Persson (1998, passim), Stevenson (1987, 63–65).
64. Based on random comparisons between drownings recorded in church burial registers and the respective lower court records of various Finnish localities. Also, for a comparison between drownings in church burial registers ($n=124$) and drownings that were indicted and referred to the Göta Court of Appeal ($n=41$) in early eighteenth-century Scania, in southern Sweden (Persson 1998, 134–37).
65. Vast majority of the acquitted cases of sudden deaths that involved suspicion of suicide tracked down for this study were drownings. For example, ULA: KLHA Serie X A I: 2, 74–6v, Torsång 16 July 1691 and two persons of higher estates in Stockholm, *jungfru* Margareta Nyman and a notary of the Chamber collegium Petter Thorin: RA: SHA B III b 1: 2, 262–3v, Stockholm 27 August 1695 and 264–67, Stockholm 29 August 1695. Also, in early eighteenth-century (1704–1718) Scania the lower

courts acquitted nearly half of the drownings that they investigated (18 out of the 41) (Persson 1998, 199). See also Jansson (1998, 25).

66. The owner or the peasant responsible for maintaining wells was responsible and liable to pay fines if someone died after falling into an open or uncovered well. KRLL 1442, Section on involuntary manslaughter, Cap. 6. See also Persson (1998, 170–71). For example, a woman acquitted, after presumably wandering in the night and falling into the yard well: ULA: KLHA Serie X A I: 1, 16–17, Tuna 19 April 1687. Cf. very similar, but sentenced as an 'insane' suicide: KA: RT NO KO a 9: 182–83, Pyhäjoki 29–31 August 1689.
67. In the Göta Court of Appeal district in southern Sweden, drowning (incl. suspected suicides that were acquitted and falls, i.e. often drownings, into wells, eight per cent) was the most common cause of death (43%) among the suicide cases dealt with between 1695 and 1718 (Werner 1998, 56–57). Similarly, for example, in early modern Geneva, and Schleswig and Holstein, drowning was the most common cause of death (34% in both) in suicide cases (Lind 1999, 326; Watt 2001, 29).
68. Items recorded as used in the self-inflicted hangings include various types of ropes and belts, but also, for example, bridles, reins, bootlaces and scarves.
69. Hanging was associated with the poor and the peasantry already in the Roman world, and it has been suggested that in particular the nobility eschewed killing themselves by hanging in various European areas. See MacDonald and Murphy (1990, 185–86), Minois (1999, 187), Morrissey (2006, 51, footnote 15), Murray (2000, esp. 498–503). People from the higher estates committing suicide by hanging in Sweden incl. ULA: Västmanlands läns domstolsarkiv, Köping A I: 6, 28–31 (burgher-shoemaker) and RA: SHA K 30a: 560–62, Sundborn 22 May 1694 (a clergy widow). Two sentenced noblemen: gunshot in ULA: ULL D II d: 7, Semminghundra 17 September 1684 (lower court record and sentence simply forwarded to the Court of Appeal and not included in the copies, but the Court of Appeal sentence letter includes a lot of details) and drowning in Viste 1721 in Bergstrand (1976, 47–48). Clergy: a vicar had cut himself with a knife in Odensåker 8 July 1714 in Bergstrand (1976, 27–32), the abovementioned vicar's widow by hanging, and another vicar's wife by drowning. KA: RT Savo KO a 2, 740–45, Rantasalmi 17 June 1648. Other sentenced suicides by burghers: by sword: ULA: Lindesbergs rådhusrätts arkiv A I: 9, Lindesberg 2 August–3 September 1688 and by drowning: RA: SHA S 4b: 599–601v, Öregrund 18 June 1686 and by hanging (later

discovered to have been a staged murder): Vadstena 1604 presented in detail in Sandén (2014, 25–55).

70. In the Göta Court of Appeal district in southern Sweden the shares among suicide cases brought to justice between 1695 and 1718 are roughly similar: 12% involved the use of blades and about eight per cent firearms (total $n=566$) (Werner 1998, 56).
71. A knife of some sort was an everyday tool. In nearly all the cases the deceased who were classified as using cutting implements used knives, while only a few died by sword-cut (for example, KA: RT VA II KO a 14: 384–406, Vehmaa & Lokalahti 12–13 March 1700) and one with blade shears (KA: RT Ala-Satakunta II KO a 1: 131–34, Eura 19 July 1682) and one with an axe (HLA: Gävleborgs länsstyrelses arkiv, Landskansliet DII 12: 495–96, Ahrnäs, Grunhunde & Nordmaling 28 February 1706).
72. The men sentenced for suicide by gunshot represent a wide range of occupations, incl. especially soldiers but also nobility, peasant masters, guards and crofters. For example, ULA: ULL D II d: 2, Vaxholm 12 April 1682 and D II d: 7, Semminghundra 17 September 1684; RA: SHA U 42: 604v–, Svartlösa 17 November 1682; RA: SHA VN 7a: 452–v, Anundsjö 10 February 1686; RA: SHA G 36a: 350–56, Ovansjö 4 May 1689; KA: RT VA II KO a 7: 210–20, Ulvila 12 September 1696; KA: RT Kymenkartano & Lappee KO a 17: 68–76, Virolahti 10 March 1700; HLA: Gävleborgs länsstyrelses arkiv, Landskansliet DIIa 11: 11, Hallen 16 March 1701; RA: SHA VN 22: 1377v–81, Berg 12–13 May 1704; KA: RT NO KO a 49: 560–70, Kemi 23 July 1733. Shooting oneself became more common, and even fashionable, first among the aristocracy and the wealthy, and only later among the masses as the availability of guns and, for example in Finland, the general liability to military service made possession of and familiarity with guns more common. See Minois (1999, 187), Nygård (1994, 55–57, 68–71), Watt (2001, 29–30, 35).
73. KA: RT Ala-Satakunta (AS) I KO a 6: 447–49, Huittinen 1 August 1648; ULA: Trögds häradsrätts arkiv A I: 1: 219v–20v, Trögd 14 July 1684; KA: RT Kexholm KO a 20: 122v–7v, Sakkola, Rautu & Pyhäjärvi 14 August 1699 and a case mentioned in RA: Riksarkivets ämnesamlingar Juridika I: BP, Vol. 5, pp. 1 and 9–10 (Vadsbo, Stora Jöns).
74. Various suspected self-poisonings were acquitted, as even with medical expertise the signs could be difficult to trace. E.g. RA: Collegium Medicum A 1 a: 2 Protokoll 1706–1720, pp. 21–22. See also MacDonald and Murphy (1990, 226–27), Watt (2001, 47–48). Similarly, only 1% ($n=6$) of the suicide cases referred to the Göta Court of Appeal between 1695 and 1718 were caused by poison (Werner 1998, 56).

In general, it seems that self-poisoning was almost nonexistent in early modern Europe. Lind (1999, esp. 326), MacDonald and Murphy (1990, 226–27), Watt (2001, 29). Cf. the use of poison exploded later, for example, in Victorian England, see Anderson (1987, 172, 178–79, 362–67).

75. For example, KA: RT Ostrobothnia KO a 11: 257v–258 and 260v, Kokkola 23 February and 15 June 1663; KA: RT JLRÄ KO a 12, 59–62, Jääski 15–16 June 1672; RA: SHA K 23a: 314v–23, Hedemora 18–20 July 1687; ULA: KLHA Serie X A I: 3, 65a–65b, Vika 26 November 1692; ULA: ULL D II d: 36, Åker & Riala skeppslag 1 April 1695. Acquitted and deemed having frozen to death, for example, RA: SHA U 52a: 368–73 Njurunda 9–10 January 1691; RA: SHA Västmanlands län (VM) 41a, 417–19, Åkerbo 8 February 1697; RA: SHA G 54: 512–14, Delsbo, Bjuråker & Norbo 8–13 June 1700; ULA: ULL D IId: 76, Uppsala 11 May 1712.
76. KA: RT NO KO a 9: 182–83, Pyhäjoki 29–31 August 1689.
77. The witnesses said his body lying on his home yard had no signs of injuries other than small scratches, nor marks of poison or anything pointing to homicide. KA: RT VA KO a 7: 414–17, Eura 17–18 October 1664. Yet, Turku Court of Appeal acquitted the case. KA: Provincial collection of accounts (Läänintilit, länsräkenskaper): Province of Turku and Pori 7292: 979v–80.
78. HLA: Gävleborgs länsstyrelses arkiv, Landskansliet DIIa 14: n.p. Forsa 9 March 1711. Svea Court of Appeal later acquitted the case as an unclear case and allowed his corpse a silent burial.
79. The 'ancient' tradition of people killing themselves by jumping off cliffs described in Erik Dahlbergh's collection of engravings depicting Sweden's history and era as a great power. Ättestupa, in Dahlbergh 1693 (Kungliga Biblioteket Dahlb. III: 49 Ex. I). Cf. in early modern Geneva, jumping was the fourth most common method of suicides (about 13% of the suicides) (Watt 2001, 29, 43–47).
80. Two suspected suicides by fire acquitted: RA: Riksarkivets ämnesamlingar Juridika I: BP, Vol. 5, 57: Jöran Bark and ULA: KLHA Serie IV, A I: 5, 1–2v, Leksand 25 February 1688. The mass self-immolations of the Old Believers were much more widespread on the Russian side of the border where thousands perished by fire. See Katajala (1995), Morrissey (2006, 38–41), Pulkin (2001), Robbins (1986).
81. KA: RT VA KO a 7: 210–20, Ulvila 12 September 1696.
82. Similar signs investigated in the sites in early modern England, see MacDonald and Murphy (1990, 224).
83. For example, Njurunda 1625 and 1627 in Hellbom 1982, 66, 73–74; Provincial Archives of Turku: Archives of Turku Court of Appeal Dbc:

1, fol. 2, 50, Eura 18 May 1631; KA: RT JLRÄ KO a 11: 8–16, Vyborg 28–29 January 1670; ULA: Faluns rådhusrätts arkiv A I a: 14, n.p., Falun 25 March 1684; ULA: Trögds häradsrätts arkiv, A I: 1: 219v–20v, Trögd 14 July 1684 and A I: 2, 101–104v, Trögd 21–27 February 1694; ULA: Lindesbergs rådhusrätts arkiv A I: 9, Lindesberg 2 August–3 September 1688; KA: RT Kexholm KO a 10: 6v–8, Rautu, Sakkola & Pyhäjärvi 22–6 January 1689; KA: RT NO KO a 13: 91–94, Sotkamo 10 August 1692; RA: SHA VN 14: 240–44, Nätra 5 September 1694; RA: SHA G 57: 377v–, Lit 13 January 1703. See also Persson (1998, 170–71), Werner (1998, 77).

84. Instructions to judges from 1545 in Petri (1545, Cap. 35), Rålamb (1674, 144–47).
85. 'forgör sik sielff, huru ledis thet hælzt henda kan' - - ' 'ath han för swa affwita worden war, ath han engom waada wægia wiste'. KRLL, Felony Section, Cap. 4. Cf. several other medieval laws in Europe meticulously listed certain suicide methods. See Murray (2000, 430–43).
86. For example, a man suffering from high fever but who had never shown any signs of suicidality was still sentenced for suicide after falling into a well because he was so severely ill that, as the suicide chapter stated, he could not be wary of accidents. ULA: KSHB Gävleborgs län, Granlo 27 April 1691. Also, for example, KA: RT JLRÄ KO a 7: 72–74, Lapvesi 22–25 May 1665; ULA: Örebro länsstyrelsens arkiv, Landskansliet (ÖLL) D I qa: 3, Fållensbro 14 May 1687; KA: RT Pien-Savo KO a 4: 77–80, Rantasalmi 28 November 1690; ULA: KLHA Serie X, A I: 7, 206–8, Tuna 19 October 1697.
87. KA: RT NO KO a 9: 182–83, Pyhäjoki 29–31 August 1689.
88. KA: RT AS II KO a 1a: 443–45, Eurajoki 17–18 September 1683.
89. Cf. falling into wells classified as suicides: the above case from Pyhäjoki in 1689; ULA: ÖLL D I qa: 3, Fållensbro 14 May 1687; ULA: KSHB, Gävleborgs län, Nordingrå 22 April 1691; KA: RT NO KO a 13: 91–94, Sotkamo 10 August 1692. Cf. similar acquitted: ULA: KLHA Serie X A I: 1, 16–17, Tuna 19 April 1687. Also, some of the seemingly accidental drownings of the elderly were sentenced for suicide (for example: ULA: KLHA Serie IV, A I: 5, 3–4v, Mora 1 June 1688; RA: SHA Jämtlands län 47b: 974v–7, Sveg 27 August 1696) while many very similar cases were acquitted: ULA: Kopparbergs länsstyrelsens arkiv, Landskansliet (KLA) D II: 15, Vika 19 May 1690; ULA: KLHA Serie X, A I: 2, 74–6v, Torsång 16 July 1691. Also, for example, a fully mad and blind man who had drowned left unpunished in KA: RT Kymenkartano län KO a 1: 372–73, Virolahti 22–23 January 1663.
90. For example, drowned or frozen to death while drunk but not considered a suicide: RA: SHA VM 32: 235v–7, Torstuna 22–23 November

1687; RA: SHA U 52a: 368–73 Njurunda 9–10 January 1691; ULA: KLHA Serie X A I: 3, 65a–b, Vika 26 November 1692; RA: SHA G 54: 512–14, Delsbo 8–13th June 1700; HLA: Gävleborgs länsstyrelses arkiv, Landskansliet DIIa 11: 227–8v, Alfta 15 December 1703. However, the penalties in the suicide chapter were at times applied in such cases but the courts underlined that these deaths were not suicides per se. E.g. KA: VA KO a 7: 915–17v, Taivassalo 27 November 1676 and KA: RT Masku & Vehmaa KO a 6: 130–132v, Laitila 7–8 December 1691.

91. The proclamation presented in Ohlander (1986a, 58; 1986b, 34).
92. For a discussion of the minor's capacity to act of his own volition: RA: SHA U 66: 958v–9, Håbo 11 June 1700 (a 14-year-old still sentenced as a sane suicide by the lower court). For example, Claes Rålamb considered the insane and minors incapable of acting intentionally and willingly (Rålamb 1674, 144–47).
93. Domareregler c. 1611 in Almquist (1951, 52–53); Instructions to judges from 1545 in Petri (1545, Cap. 31, 35 and 40), Rålamb (1674, 117).
94. Interestingly, the only person who had left a suicide note was a crofter living in Danderyd, just to the north of Stockholm, in 1697. Before shooting himself, Johan Pedersson wrote his last words on a piece of paper addressed to no one in particular; he stated that (paraphrased by the scribe) 'no one should think that he has any great sins on his conscience, for God has forgiven him, and therefore he knows that his soul is with God, and Jesus Christ his saviour and redeemer will be merciful to him' and 'that the great pains that he endured night and day, forced him into this'. ULA: ULL D IId: 43, 22 February 1697 Danderyd. It can be assumed that the limited writing skills among the populace made leaving a suicide note a rarity. Similarly, suicide notes were very rare in seventeenth-century England, while the practice of writing them became more popular in the eighteenth century when literacy became more widespread (MacDonald and Murphy 1990, 228–29, 327).
95. Similarly, in early eighteenth-century Scania, see Persson (1998, 134–37, 199).
96. RA: SHA U 49b: 919v–22v, Närdinghundra 14 July 1689.
97. 'sagdt, att effter han seer sigh eij wara hafwa någon lycka i denne Wärlden, uthan ijdel motgång, dy hade han eij heller lust längre att tiäna mycket mindre lefwa'. KA: RT Kexholm KO a 4: 357–59, Rautu 31 July 1682.
98. For example, KA: RT AS II KO a 4: 206–8, Huittinen 31 May and 1–3 June 1689: 'intet kan hiälpa mig' and KA: RT YS KO a 17: 529–31v,

Huittinen 27 March 1697: 'intet mehra hielpa honom att lefwa utan det wara best sielf afhändt sigh lijfwet'.

99. 'Får nu wist Brita, aldrigh fåhr du mehr tahla medh migh.' ULA: VMLL D I: 31, Åkerbo 23 August 1695. Similarly, in Kemi in 1689 a farmhand, before cutting his throat, had said to a widow from whom he had bought a horse on the same day, 'perhaps you will never see me again'. KA: RT NO KO a 10: 232–35, Kemi 19–21 February 1690. In Nordingrå Nils Johansson, on the same day he hanged himself, had said to his neighbours 'May God have mercy on you, you will have great sorrow because of me'. RA: SHA VN 4a: 218–20, Nordingrå 12 July 1683.
100. For example, ULA: KLHA Serie IV AI: 2, 7v–9, Mora 26 August 1664; RA: SHA U 61a: 674v–5v, Lagunda 8 April 1697.
101. RA: SHA Västerås 3: 695–96, Sala 14 May 1687. For example, borrowing money given for the sustenance of one's family serving as evidence of intentionality and suicide: KA: RT VA II KO a 14: 384–406, Vehmaa & Lokalahti 12–13 March 1700.
102. KA: RT NO KO a 12: 301v–2, Ii 25–27 February 1669.
103. KA: RT NO KO a 12: esp. 720v–21, Kokkola 8 July 1671 and esp. 726v, Kokkola 15–17 August 1671. More cases and preparations discussed in Miettinen (2017).
104. For example, RA: SHA G län 11, 289v–, Lika 14 August 1662; RA: SHA G 45a: 80v–2v, Forsa n.d. 1695; Brämhult 1715 presented in Bergstrand (1976, 36–39). Similarly, in late nineteenth-century Finland it was presumed that those who drowned themselves intentionally took their clothes off (Saelan 1983, 45–49). Dressing in 'better' clothing such as Sunday clothes on a workday could also be considered incriminating.
105. RA: SHA Stockholms län (S) 4b: 599–601v, Öregrund 18 June 1686.
106. For example, ULA: KLHA Serie IV A I: 5, 3–4v, Mora 1 June 1688; ULA: KLHA Serie X, A I: 2, 84–85, Kopparberg 2 October 1691; KA: RT VA II KO a 7: 210–20, Ulvila 12 September 1696.
107. For example, ULA: KLHA Serie X A I: 1, 92–93, Vika 28 June 1689 and ULA: KLA D II: 15, Vika 19 May 1690. See also Persson (1998, 167–68).
108. For example, comparison of acquitted and sentenced suicide cases involving drownings that occurred while the person was drunk show the significance of motive; two men were sentenced for suicide even though both had even screamed for help, because they were interpreted having had a reason to kill themselves (bad conscience, awaiting trial for an illegitimate relationship) while four similar cases were acquitted due to the men not having any reason to kill themselves and their

otherwise good reputations. ULA: KLHA Serie III A I: 9, 29–31v, Tuna 30–31 May 1665; ULA: ÖLL D I qa: 3, Örebro 22 June 1687; RA: SHA VM 32: 235v–7, Torstuna 22–23 November 1687; ULA: KLHA Serie X A I: 3, 65a–b, Vika 26 November 1692; Sundal 11 August 1691 in Zakariasson 1980, 350 and HLA: Gävleborgs länsstyrelses arkiv, Landskansliet DIIa 11: 227–228v, Alfta 15 December 1703. Similar emphasis given on the interpreted motives in eighteenth-century Stockholm, see Jarrick (2000, 304–7).

109. ULA: KLHA Serie X, A I: 7, 206–8, Tuna 19 October 1697.
110. KA: RT VA KO a 7: 414–17, Eura 17–18 October 1664. However, Turku Court of Appeal acquitted the case.
111. RA: SHA K 36a: 449v–56v, Grytnäs 27 May 1697.
112. RA: SHA K 30 a: 611v–12, Vika 27 December 1694.
113. ULA: KLHA Serie X A I: 2, 74–6v, Torsång 16 July 1691; ULA: KLA D II: 16, Torsång 22 July 1691.
114. For example, KA: RT Savo KO a 2: 740–46v, Rantasalmi 17 June 1648 and KO a 8: 205–9, Rantasalmi 17 November 1698; KA: RT AS II KO a 1a: 440–3v, Eurajoki 17–18 September 1683; RA: SHA B III b 1: 2, 262–3v, Stockholm 27 August 1695 and 264–67, Stockholm 29 August 1695; RA: SHA K 36a: 449v–56v, Grytnäs 27 May 1697.
115. RA: SHA K 23a: 314v–23, Hedemora 18–20 July 1687; ULA: KLA, D II: 13, Hedemora 1 August 1687.
116. Except, the determination of mental states in homicide cases: Matikainen (2002, 148–52; 2006). About the indicative and counter-indicative pieces of evidence when determining a suicide's mental state in eighteenth-century Stockholm: Jarrick (2000, 304–9). Briefly on the determination of insanity of the drowned in early eighteenth-century Scania, Persson (1998, 187–89). See also Liikala (2005, 49–58), Vilkuna (2010b, 79–80, 85–86). Major works on the criminal liability of the insane in early modern Sweden: Matikainen (2006), Munktell (1940), Pajuoja (1995, 19–36), Qvarsell (1993), Sondén (1931).
117. For example, Eigen (1985), R.A. Houston (2001), Robert Allan Houston (2003), MacDonald and Murphy (1990, esp. 57–58, 133–42, 232–37), Lindemann (2007), Loughnan (2011).
118. KRLL 1442, Felony Section, Cap. 4; Involuntary Manslaughter Section, Cap. 15; Kloot (1676, 278–79). See also Munktell (1940), Pajuoja (1995, 19–28).
119. Munktell (1940, 15–23, 28–29), Pajuoja (1995, 25–28). Cf. Sondén (1931, 29–41).
120. See, for example, Foucault (2009 [1972], 191–92, 252–55, 262–66, passim), Midelfort (1999, 140–81).
121. Loccenius (1673 [1648], 675–76). See also Kloot (1676, 278–79).

122. *Rosengrenska lagförslaget*, 476.
123. Minutes and drafts e.g. in Sjögren (1900–1909). See Chapter 2.
124. 'hufwudswaghet, raseri, eller annor sådan wånda'. Code of 1734, Missgärningsbalken, Cap. XIII, § 1.
125. Based on preserved Svea Court of Appeal sentences and documents, in particular: ULA: KSHB and RA: Riksarkivets ämnesamlingar: Juridica I. BP Vol. 5 and SHA: Huvudarkivet. B III b 1: 2. Kriminella resolutioner 1695. Also, sporadic sentences of the Turku Court of Appeal: RA: Justitierevisionen, Åbo hovrätts arbetsberättelser 1665–1667, 1669.
126. Based on 114 Svea and Turku Court of Appeal decisions passed between 1631 and 1700 in which only 17 of the lower court categorizations of the mental state of the suicide were revised. 13 of those sentenced as sane suicides in the lower courts were sentenced as insane suicides by the Court of Appeal. Göta Court of Appeal, in southern Sweden, similarly usually confirmed the suicide sentences passed by the lower courts between 1695 and 1718 (based on the forms of punishment, in 440 cases out of the 566 sentenced, including acquittals i.e. allowing Christian burial) (Werner 1998, 73).
127. Hafström (1965, 153–54), Kekkonen et al. (1999, 1044–45), Modéer (1997, 93).
128. Houston (2001, 447–52), Houston (2003, 342–44), MacDonald and Murphy (1990, 134), Oosterhuis and Loughnan (2014, 3), Pajuoja (1995, 38).
129. Eilola (1999, 101–2), Matikainen (2006, 40–43), Vilkuna (2010b, 80, 92). See also endnote 28. Asking aid from the clergy was expected; for example, the mother and neighbours of an insane woman were questioned why they had not told the vicar of her condition. KA: RT NO KO a 3: 162–63, Liminka 9–12 February 1683.
130. A doctor was consulted about the mental health in the trial over the suspicious drowning of a 'mentally weak' *jungfru* (an unmarried woman of higher standing, typically from a burgher family) in Stockholm in 1695. RA: SHA B III b 1: 2, 262–3v, Stockholm 27 August 1695. The first known case in earlier research when a doctor gave a statement on the mental state of the accused in a criminal investigation in Sweden dates to 1710. See Munktell (1940, 29), Pajuoja (1995, 38).
131. For example, KRLL 1442, Felony Section, Cap. 4. and Involuntary Manslaughter Section, Cap. 15; Loccenius (1673, 375–76), Rålamb (1674, 144–47). In the Finnish versions of King Christopher's Law, also *taidhotton* or *taedhotton*, unskilled/incapable, *willi*, wild, and *mieletön*, mindless. See also Liikala (2005, 21–22), Munktell (1940, 29), Vilkuna (2010b).

132. For example, in the witness descriptions of insanity provided by the educated clergy in RA: SHA U 51: 519–20, Trögd 22–27 September 1690 and Brämhult 9 September 1715, in Bergstrand (1976, 36–39, esp. 39).
133. Similar, for example, in eighteenth-century English courtrooms, see Loughnan (2011).
134. See also Liikala (2005, 28–29, 39–49), Vilkuna (2010b, 78). For example, Margareta Simonsdotter was portrayed as a lunatic because she was 'unable to control what she said or did'. KA: RT Turku RO z 34: 119–23, Turku 7 April 1666.
135. ULA: ÖLL D I qa: 3, Liusnars Bergzlag 31 October 1687. 'Frenzy' as a recognized mental illness, see for example Foucault (2009, 109, 199, 392), Midelfort (1999, 187). Recognized as a specific mental illness in early modern Sweden, e.g. the 'rasande' mentioned in late fifteenth-century court records, see Munktell (1940, 8); same as 'furor' mentioned e.g. by Loccenius (1973 [1648], 675–76). The *rasande* were generally receiving penalties reserved for the insane in the lower courts (Matikainen 2006, 43).
136. Excessive crying, for example, could be considered one sign of mental illness, e.g. RA: SHA U 42: 604v–, Svartlösa 17 November 1682; RA: SHA S 4b: 599–601v, Öregrund 18 June 1686; RA: SHA K 23b: 892–99, Husby 14 February 1687 and 30a: 560–62, Sundborn 22 May 1694.
137. Descriptions of her insanity include: 'hon stelte sigh såssom fåhnåt, att hon ei kunnat kläda på sigh, lupit baarfoota och andre owanlige *affecter* påskönia låtit', 'warit - - siuckelig och fåhnåt', 'haffer altijdh för sigh i syyn såssom nåhler på golfwet och nappat eftter'. KA: RT NO KO a 3: 162–63, Liminka 9–12 February 1683.
138. RA: SHA U 53b: 556v–61v, Lagunda 20 November 1691.
139. ULA: KLHA Serie X, A I: 5, 81–83, Vika 3 April 1695.
140. See, for example, Alaja (2013), Andersson (2012), Eriksson (1989), Fagerlund (1886), Miettinen (2018).
141. See also Liikala (2005, 33–91).
142. For example, KA: RT Kexholm KO a 4: 1143–45, Räisälä 9 December 1678; RA: SHA G 27a: 430v–6, Järvsjö 6 June 1679; ULA: Faluns rådhusrätts arkiv A I a: 14, Falun 25 March 1684; RA: SHA VN 12b: 746–54, Nätra 12 May 1690; Nordingrå 21 February 1710 presented in Luef (2012, 555, 566–68).
143. Mental weakness or 'dizziness in the mind' (*huvudyra*) caused by high fever referred to, for example, in RA: Justitierevisionen, Åbo hovrätts arbetsberättelser 1667 (1665–1667, 1669): n.p. Raisio/Norickala 23 April 1667; RA: SHA U 51: 519–20, Trögd 22–27 September 1690; KA: RT NO KO a 13: 91–94, Sotkamo 10 August 1692; ULA: VMLL D I: 34, Åkerbo 30 June 1698 and, even after getting well from heavy

fever that was thought to have induced mental weakness: ULA: KLHA Serie XXVI A I: 1, Lima 6 December 1698.

144. For example, bad headaches causing mental weakness and classified as insane suicides: KA: RT Masku & Vehmaa KO a 3: 172–76, Vehmaa 11 August 1688; ULA: Västmanlands läns domstolsarkiv A III: 1: Björkskog 12 January 1692; ULA: KLHA Serie X, A I: 7, 206–8, Tuna 19 October 1697. An unknown illness in the head: ULA: KLHA Serie X, A I: 1, 109–v, Tuna 23 September 1689. A fall and blow to the head the head inducing persistent pains and mental weakness: Odensåker 8 July 1714 in Bergstrand (1976, 27–32). Mentions of terrible pains induced by other physical illnesses causing mental weakness, for example, KA: RT Kymenkartano & Lappee KO a 1: 10–11, Kymi & Vehkalahti 12–14 February 1681 and ULA: KLHA Serie X, A I: 1, 16–17, Tuna 19 April 1687. See also Persson (1998, 190–94). Cf. terrible headaches but classified as sane suicides: KA: RT JLRÄ KO a 6: 54–57, Ruokolahti 13–14 June 1664; ULA: ULL D II d: 7, Semminghundra 17 September 1684; RA: SHA VN 11: 234v–7, Anundsjö 29 September 1689.
145. KA: RT AS II KO a 1a: 443–45, Eurajoki 17–18 September 1683; RA: SHA K 34a: 446v–9, Skinnskatteberg 13–24 October 1696 (also, sudden attack of mental weakness on the day of his suicide). See also Eilola (1999, 128), Persson (1998, 180–81).
146. ULA: KLHA Serie XXXI AI: 1a, n.p. Floda 20 August 1698. Svea Court of Appeal later accepted this classification of his sanity. ULA: KLA Landskansliet D II: 21, Floda 1 September 1698. Another, very similar case: KA: RT Kexholm KO a 4: 1143–45, Räisälä 9 December 1678.
147. For example, in ULA: KLHA Serie IV, A I: 5, 3–4v, Mora 1 June 1688; RA: SHA VN 12b: 746–54, Nätra 12 May 1690; ULA: KLHA Serie VII, A I: 2, n.p. Hedemora 8 August 1698.
148. Loccenius (1673 [1648], 675–76), Rålamb (1674, esp. 144–47). Varying practices concerning other crimes and the criminal responsibility of minors, see Mispelaere (2009). Minors' suicides by hanging considered and sentenced as sane suicides: ULA: VMLL D I: 31, Åkerbo 23 August 1695 and RA: SHA U län 66: 958v–9, Håbo 11 June 1700; as insane: KA: RT Kexholm KO a 10: 6v–8, Rautu, Sakkola & Pyhäjärvi 22–26 January 1689 and 18 January 1648 in (Liedgren 1982, 74). Already in 1685 Svea Court of Appeal had considered that a young girl had not been able to understand her soul's destiny and the wrongfulness of suicide and thus deserved a burial north from the church without ceremonies. RA: Riksarkivets ämnesamlingar: Juridika I. BP Vol. 5: 55.

149. Svea Court of Appeal resolution 27 August 1695 in Abrahamsson 1726, 727 and RA: SHA B III b 1: 2, 260–61, Kriminella resolutioner (Åkerbo) 27 August 1695.
150. Also, for example, in manslaughter cases, see Matikainen (2002, 148–52), Munktell (1940, 28).
151. For example, Adamson (2005, 55–72), Eigen (1991), Lindemann (2007).
152. See also Adamson (2005), Lindemann (2007).
153. RA: SHA G 27a: 430v–36, Järvsjö 6 June 1679. The Svea Court of Appeal considered him insane. ULA: KSHB, Gävleborgs län: Järvsjö 4 July 1679.
154. KA: RT Kexholm KO a 4: 1143–45, Räisälä 9 December 1678.
155. Inconsistent use of terms *melancholia* and *swårmodighet* with both referring to the same mental illness, for example in RA: SHA G 27a: 436–41, Järvsjö 21 July 1679; KA: RT NO KO a I: 586–97, Kemi 12–15 July 1681; RA: SHA U 53b: 556v–61v, Lagunda 20 November 1691; KA: RT Kymenkartano & Lappee KO a 17: 68–76, Virolahti 10 March 1700; Brämhult 1715 presented in Bergstrand (1976, 36–39).
156. Birnbaum and Olsson (1992, 15–17, 29–41), Gowland (2006a), Lawlor (2012, 25–29).
157. Gowland (2006a), Midelfort (1999, esp. 152–56), Schiesari (1992, 96–141), Tuohela (2011). The humoral ideas of melancholia and melancholic dispositions and emotions were also familiar in early modern Sweden, for example, in Agricola (1544, 49–51), Berchelt (1588, A vii–A viii), Colerus (1683, 209–10), Anonym (1621, 312–13).
158. Also distinguished from insanity in the suicide investigations in eighteenth-century Stockholm (Jarrick 2000, 306–7).
159. Sanity described, for example, '*alltid hörtz wara wed sitt fulla wett, warit fullwettigen, warit med sitt fulla förstånd*'. For example, ULA: KLHA Serie III A I: 8, 74v–75v, Husby 6 September 1664 and A I: 15, 98–v, Skedvi 30 July 1672 and 105–105v, Skedvi 25 September 1672; KA: RT JLRÄ KO a 13: 363–73, Vyborg 22 May 1673; RA: SHA VN 4a: 218–20, Nordingrå 12 July 1683; KA: RT VA II KO a 14: 384–406, Vehmaa & Lokalahti 12–13 March 1700.
160. ULA: ULL D IId: 2, Vaksholm 12 April 1682.
161. Hemmingsen (1608), Gowland (2006a, 103–6), Snyder (1965, esp. 24–28).
162. Hemmingsen (1608, passim).
163. Typically, *förvivlan*, at times *desperatio(n)*. For example, in KA: RT JLRÄ KO a 13: 363–73, Vyborg 22 May 1673; RA: SHA VN 4a: 218–20, Nordingrå 12 July 1683, 7a: 445–6v, Gudmundrå 30 January 1686 and 15a: 208v–9, Siälevad 14 May 1698; ULA: KLHA Serie IV, A I: 5,

3–4v, Mora 1 June 1688 and Serie V, A I: 1, 309–16, Garpenberg 20 December 1690; RA: SHA G län 36a: 350–56, Ovansjö 4 May 1689; KA: RT YS KO a 17: 529–31v, Huittinen 27 March 1697; Ås 17 June 1710 presented in Bergstrand (1976, 23–26).

164. KA: RT NO KO a 1: 586–97, Kemi 12–15 July 1681. E.g. 'Att henne ähr någon olycke och Reesa händt, ähr intet iagh, utan hon och hennes galen inbillningar och swårmodige tankar, some henne *per Suggestionem Diabolium*, påkommo, der till orsaken.' Sigfridus was acquitted due to lack of evidence and there are no mentions that Justina was punished for her suicide attempts, although it was stated that the case was referred to the ecclesiastical court.
165. Gowland (2006a, 103–6), Münkler (2009, 77–84). For example, Petrus Laurbecchius, professor of theology at the University of Turku, discussed the states ambiguously in his deliberations on melancholia (Laurbecchius 1680, A4–A6v).
166. For example, RA: SHA K 23b: 892–99, Husby 14 February 1687; ULA: KLHA Serie X, A I: 2, 84–85, Stora Kopparberg 2 October 1691 and A I: 9, 184–88, Tuna 4 July 1699; ULA: Faluns rådhusrätts arkiv (Falun rr och mag.) A Ia: 18, Falun 14/15 April 1697.
167. For example, ULA: KLHA Serie IV A I: 8, 83v–4v, Leksand 19 April 1698 and Serie XXVI A I: 1, n.p., Lima 6 December 1698; ULA: KSHB Gävleborgs län, Nordmaling 18 March 1692.
168. For example, Adamson (2005), Lindemann (2007, 168–71).
169. KA: RT Turku RO z 34: 119–23, Turku 7 April 1666; RA: Justitierevisionen, Åbo hovrätts arbetsberättelser 1666 (1665–1667, 1669): Turku 11 April 1666.
170. ULA: KLHA Serie IV AI: 2, 7v–9, Mora 26 August 1664.
171. For example, KA: RT JLRÄ KO a 15: 324v–5, Äyräpää 25–26 February 1675; KA: RT Kexholm KO a 4: 1143–45, Räisälä 9 December 1678; RA: SHA S 4b: 599–601v, Öregrund 18 June 1686; KA: RT Kymenkartano & Lappee KO a 3: 299v–303v, Lappee & Joutseno 11–13 June 1688; RA: SHA VM 33: 101v–2v, Ulvesund 4–6 February 1689; RA: SHA VN 12b: 746–54, Nätra 12 May 1690; ULA: KLHA Serie XXXI AI: 1a, Floda 20 August 1698; RA: SHA U 66: 958v–9, Håbo 11 June 1700; Nordingrå 21 February 1710 presented in Luef (2012, 555, 566–68) and Ås 27 July 1716 in Bergstrand (1976, 40–42).
172. Also pointed out in passing by Munktell (1940, 28).
173. For example, KA: RT AS II KO a 4: 206–8, Huittinen 31 May and 1–3 June 1689; ULA: KLHA Serie X, A I: 2, 84–85, Stora Kopparberg 2 October 1691 and A I: 5, 70–70v, Skedvi 4 July 1695; RA: SHA K 34a:

446v–9, Skinnskatteberg 13–24 October 1696; KA: RT NO KO a 41: 1275–89, Ii & Pudasjärvi 8–13 March 1725.

174. KRLL 1442, Felony Section, Cap. 4. In general, it was required that the insanity of the accused was widely known if the perpetrator was to receive a sentence reserved for the insane. Involuntary Manslaughter Section, Cap. 15; Kloot (1676, 278–79), Pajuoja (1995, esp. 22, 24–26).
175. KA: RT JLRÄ KO a 15: 324v–5, Äyräpää 25–27 February 1675. See also ULA: ULL D II d: 12, Öregrund 8 July 1686 and ULA: KLHA Serie IV, A I: 6, 35–35v, Bjursås 5 July 1693.
176. For example, the district judge of the eastern half of Kopparberg (Österdalarnes domsaga), Magnus Persson, sentenced at least 16 suicides during his long career between 1659 and 1696, while his successor, Gerhard Lohrman, sentenced four suicides during his short career between 1696 and 1700. In the neighbouring *domsaga* in Kopparberg (Västerdalarnes domsaga) Johan Eriksson Norlind sentenced (based on the surviving sentence letters) only two suicides in his career between 1682 and 1694, while his successor, Johan Gyllenadler, did not deal with suicides at all in his short career between 1694 and 1696. Gyllenadler's successor, Jonas Boëtius Lindebom, managed to sentence four suicides in the year 1698 alone. The judge of Ångermanland, one of the jurisdictions of judges in Västernorrland Province, Lars Stridsberg, sentenced at least twelve suicides in his career in the 1680s and 1690s. It appears that the district judges of the *domsagas* in southwestern Finland sentenced only a few suicides during their careers. The district judge of Kexholm, Johan Plagman, personally sentenced at least four suicides in his career between 1671 and 1696. Erik Tawast, the district judge of Northern Ostrobothnia between 1680 and 1692, sentenced at least eight suicides during his career. On the *domsagas* and their judges, see Almquist (1954), Holmberg (1959).
177. Based on descriptions of their behaviour, i.e. similar cases were often classified as insane suicides elsewhere: RA: SHA VN 3a: 164v–7, Sollefteå 5–6 July 1682; 4a: 218–20, Nordingrå 12 July 1683; 11: 234v–7, Anundsjö 29 September 1689; 12b: 746–54, Nätra 12 May 1690 and 15a: 208v–9, Själevad 14 May 1698; RA: SHA G 39b: 594v–600, Härnosand 22 October 1692.
178. MacDonald (1986, 1989), MacDonald and Murphy (1990, 109–25, 134). Other interpretations, see for example, Robert Allan Houston (2010, esp. 175–88). Similar rise of the insanity defence in seventeenth-century Bavaria connected to the growing (legal and elite) skepticism towards diabolic explanations and a 'psychological revolution' see Lederer (2006, esp. 255–56).

179. Foucault (2009), Marsh (2010, esp. Chapters 6–8, esp. 92–94).
180. Lederer (2006, 254–56), MacDonald and Murphy (1990, esp. 122).
181. Lower court classification known for cases before the year 1680, $n = 52$, and for cases between 1680 and 1699, $n = 123$. The lower court was unable to sentence and left the classification open for the Court of Appeal in 4 cases before 1680 and in 9 cases between 1680 and 1699.
182. As well known, melancholia was a popular theme in numerous treatises, disputations, songs, plays and poems. See, for example, Gowland (2006a), Gowland (2006b). The first Swedish baroque poet, Olof Wexionius (1656–1690) also dwelled on this fashionable literary theme in his anthology *Melancholie* (Wexionius 2008 [ca. 1656–1690]).
183. For example, 'djävulens ingivelse', 'igenom Satans tillskyndan', 'Satans pådrivande', 'diefulsens och hennes egit handawerk', 'igenom den ondes ingifvelser'. E.g. Ydre 22 June 1621 in Rääf 1861, 165; KA: RT Savo KO a 2, 740–6v, Rantasalmi 17 June 1648; KA: RT JLRÄ KO a 11: 8–16, Vyborg 28–29 January 1670; RA: Riksarkivets ämnesamlingar: Juridika I: BP Vol. 5, 19 (1678); KA: RT NO KO a 1: 586–97, Kemi 12–15 July 1681; RA: SHA S 4b: 599–601v, Öregrund 18 June 1686; Kinneved 1691 in Bergstrand (1976, 20–22).
RA: SHA S 5: 177v–8v, Fährentuna 3 October 1695; ULA: KLHA Serie XXXV A I: 3, Norrbärke 20 February 1696; KA: RT YS KO a 17: 529–31v, Huittinen 27 March 1697; RA: SHA U 61a: 674v–5v, Lagunda 8 April 1697.
KA: RT NO KO a 21: 1077–84, Liminka 12 June 1700. Similar in early modern England, see MacDonald (1986, 54–55), MacDonald and Murphy (1990, 34, 42–43, 52, 55–56). On the role of the devil in tempting people to kill themselves see, for example, Sorolainen (1988 [1621], 714), Luther ([1695 Catechism], 81–82).
184. Ericsson (2003, 159–64), Liliequist (1992, 129–33), Olli (2004, 117).
185. Heikkinen (1969, 332–40), Luef (2016, 198–205), Malmstedt (2017), Svenungsson (1970).
186. Lederer (2006, 242–56).
187. Morrissey (2006, esp. 118–19, 145). For various, overlapping discourses and understandings of suicide in other European areas, see, for example, Bähr (2002), Deschrijver (2011), Dickenson and Boden (2004), Lederer (1998), Lind (2004) and articles in Signori (1994), Watt (2004).
188. Similar, for example, in early modern England (Houston 2010, esp. 180).

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CHAPTER 5

Selectivity by the Court: The Influence of Social Standing, Reputation and Piety

In this chapter I examine the context-specific interpretations and outcomes of the suicide investigations whose course and typical features were analysed in Chapter 4. The first section discusses the explanations for suicide and the characteristics attributed to those classified as having committed suicide and sentenced for it in the lower courts. The following sections explore the selectivity in interpreting evidence, with a focus on the interplay of social status, reputation and the ties of the deceased influencing the outcomes in the suicide trials. Various cultural scripts and stereotypes of suicides influenced and were reiterated in the casuistic interpretations in the lower courts. As will be shown, some suicides were not considered as reprehensible, heinous or morally despicable as others. The last part of the chapter presents the range of punishments inflicted on suicides, which manifests the local panorama of variation in attitudes to them. Alongside the main corpus of 189 sentenced suicide cases for which the lower court records or other adequate description about the trial are available, the material is supplemented with cases ending in acquittal by the lower courts and also by additional suicide cases whenever practicable and necessary.[1]

Naturally, a person's social position and identities, including sex, age, estate, household status, economic standing and social relations, affected his or her life course, choices and options, and thus also suicidal behaviour. In an estate society, in which people's rights, privileges and responsibilities varied according to their rank and where their subservience to

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patriarchal authority varied (according to the institution of mastership or guardianship, *målsmanskap*), people lived in 'unequal' positions in relation to one another.[2] The same features also influenced the interpretation, explanation and judgement in the lower courts regarding suicide, or suspicious, sudden death. For example, gender stereotypes and images of the characteristics attributed to people of different estates as well as more individual factors, such as the person's reputation and social ties, influenced the interpretations, rendering selective the treatment of suicides in the lower courts.

Firstly, it must be taken into consideration that the early modern laws in general, not to mention legal praxis, treated individuals differently based on rank, birth and religious affiliation.[3] For example, the King Christopher's Law in force in Sweden includes various chapters in which distinctions were made with regard to rights between landholders and non-landed subjects and based on whether or not the person was a permanent resident (*bofast*). Distinctions were even made in the level of fines and in the forms of punishment based on gender, age and on whether the perpetrator possessed land as a freeholder.[4] However, the law exempted no-one from criminal liability on the basis of the perpetrator's estate, rank, or other socio-economic position.[5] In principle, all subjects were to answer for their crimes and face the same punishments, regardless of their wealth or position, as the sixteenth-century instructions to judges stated.[6] Nevertheless, as mentioned in the Introduction, records of numerous crimes in early modern Sweden show that legal praxis at times departed from this principle, indicating selective treatment and sentences based specifically on the perpetrator's socio-economic standing and ties.[7] Also, it has already been suggested that a 'high social position' could protect people from a suicide verdict and especially the harsher form of punishment decreed for the sane in early modern Sweden.[8] Rather than focusing on the social history of suicide, namely how a person's various characteristics and circumstances influenced the choice to commit suicide, the chapter as a whole centres on how they influenced the interpretations formulated and sentences passed in the lower courts.

Making Sense of the Incomprehensible

A sudden death always needs an explanation, and the local communities and lower courts certainly did their utmost to find one. Explanations and 'motivators' were tracked down from the individual's past and

characteristics, as the understandings of suicide were not yet characterized by the more recent idea that the community, or society as a whole, was to some extent implicated in the conditions that drove people to suicide. I next examine some of the explanations evinced for suicides and the influence of the deceased's background and person on these interpretations and in making sense of what had happened. As already discussed in Chapter 4, there were shared ideas of 'suicidality' and its motives and manifestations, which were used as circumstantial evidence in classifying deaths and the mental states of the accused. The witnesses and lower courts referred to the life circumstances and personal traits of the suspect when building the cases and arguing for or against the suicide classification. Events and life conditions thought to produce grief and unwillingness to live, as socially shared imputations of motives, were deployed not only as evidence but also as explanations for the suicidal act.

The most commonly mentioned features were, in order of frequency as mentioned by witnesses: insanity (in about 40% of cases), physical illnesses (about 35%, including physical disabilities and pains), economic difficulties (about 30%, including absolute poverty, mentions of indebtedness, losses in crop failures etc.), interpersonal discord (about 28%, especially marital), awaiting criminal trials or punishments for other offences (in about a fourth of the cases) and deaths of family members (about 20%, especially deaths of spouses). Other noteworthy, although significantly less often mentioned background factors and circumstantial evidence of suicide include the person having a guilty conscience over something (real or imaginary) and alcohol abuse. Usually several circumstances were mentioned to describe the deceased's background; in other words, the background factors overlap, for example with poverty and physical disability often mentioned in conjunction. It must be emphasized that the informational value of the documents available varies greatly, and it cannot be expected that the scribes recorded all shared information about the accused's background. Also, although sometimes these circumstances in the lives of the accused were explicitly connected to the suicide by the witnesses and the lower courts, at times they were mentioned in passing and were not at least explicitly in the text linked to the suicide. Still, the fact that they are included in the documents suggests that they were considered to be of some relevance in the suicide trials: either corroborating guilt or mental state, or relevant and worth mentioning perhaps in order to invoke compassion, to convey disapprobation or to try to make sense of the act. It can be assumed that these

recurringly described life circumstances were factors contributing (as causes or motives) to suicide as, no doubt, these circumstances posthumously connected to the act by observers reflect what at the time was generally deemed most distressful, most to be feared or whose loss was most disastrous.[9] However, the interest here is not in the actual causes and common motives for suicides, but rather in the life stories and backgrounds associated with suicidality in early modern Sweden and its lower courts.

A few gendered aspects emerge from the references to these life circumstances in the lower court trials, suggesting that the interpretations and explanations of suicides were to some degree gendered. Firstly, it must be noted that nearly two-thirds of those classified as suicides were male.[10] This itself may reflect the suicide phenomenon in general, or may be due to a possible under-registration of female suicides due to gendered suicide methods; although hanging remained the most common means for both sexes in early modern Sweden, women were more likely than men to drown themselves, while men resorted significantly more often to weapons, resulting in their being more easily classifiable as suicides than obscure drownings.[11] Nevertheless, in the trials insanity was connected to female suicides and referred to relatively more often than in the case of men. Although melancholia as an illness was ascribed to both men and women in roughly equal shares, other mental disturbances, in particular the vague and umbrella term of 'mental weakness', were more often ascribed to women. This perhaps had to do with the early modern gender stereotypes according to which men were the stronger and more rational sex as opposed to the (emotionally) more unstable, mentally inferior and spiritually, intellectually and physically weaker sex.[12]

The same stereotypes may in part explain why references to what might be called relationship, or emotional, factors are slightly gendered. Witnesses more often mention losses of family members (especially spouses and children) as well as interpersonal (especially marital) discord in the backgrounds of the female suicides, and, most importantly, considered them more relevant for female suicides. Women's suicides were thought to be more often motivated by interpersonal, emotional reasons such as problems in love life or the death of a loved one.[13] However, widowhood, deaths of children or other losses of family members were often mentioned in passing; death was considered a natural part of life that was not supposed to cause any insuperable grief.

Yet, if the accused had expressed excessive grief over the loss, the event was explicitly connected to the suicide by the witnesses or the lower courts.[14] Interpersonal discord is nearly as often mentioned in the trials of male suicides, but the characteristics of the discord and strife and the understanding of their significance as the cause of the suicide differ slightly. Men were mentioned as having been more involved in quarrels with their neighbours and violence while adversities in love life, such as failed promises of marriage and marital problems, were more often mentioned and connected with the suicides of women.[15]

Witnesses explicitly mentioned economic difficulties, such as poverty, begging, indebtedness, theft of food, scant possessions or the accused's admitted concerns over sustenance in about 30% of cases.[16] Sometimes the economic troubles were cited as explanations for the suicide,[17] or emphasized in order to invoke compassion and pity,[18] while at times poverty, begging, scant possessions or such were only mentioned in passing, with their significance in the trial and the interpretation more vaguer. However, material sustenance was clearly of interest and understood as a possible motive for suicide as even the absence of economic hardship or difficulties to obtain sustenance was raised and discussed in the trials.[19] As most of the absolute poor in early modern Sweden were women,[20] it is not surprising that the trials of female suicides include relatively more explicit mentions of economic hardship, in particular poverty, begging and destitution. However, the understanding of the connection between economic adversities and suicide was gendered. The witnesses and the lower courts cited such problems explicitly as the causes for the suicides of peasant and burgher men while the suicides of women were rarely explained by their economic situations. Rather, their poverty, begging and scant possessions were mentioned in passing but the suicide was ascribed to and explained by other factors. When described, the economic settings of the female suicides were typically different: while men were more often indebted and suffering from more potential or prospective troubles over sustenance, the women more often lived in utter destitution, having already had to resort to begging, charity or thievery. The talk ascribed to some of the male suicides themselves shows clear worries about their families' future sustenance. This all suggests that failure to provide for and successfully manage one's household was understood as one (masculine) reason for suicide; after all, men were expected to be economically more active and the breadwinners of their households.[21]

The poverty among the female suicides may in part explain why both sexes are well (roughly a quarter of those sentenced) represented among those mentioned at the time of their suicide as having been sentenced for previous crimes, or as having been under suspicion or awaiting charges, trial or the execution of a criminal sentence. The women had been typically faced with charges or penalties for milder offences, such as premarital relationship or petty theft, while the male suicides had more often more serious legal problems, having committed or been charged with felonies like adultery, or even manslaughter or rape. No doubt this relatively high share of former offenders among the sentenced suicides has to do with the social stigmatization and shame that committing crimes and undergoing public trials and criminal punishments entailed. Public floggings, running the gauntlet and other corporal punishments were difficult to bear, as were heavy fines and the imprisonment involved with awaiting final sentences of serious offences. Indeed, the lower courts clearly recognized this as a motive for suicide, and an incriminating factor pointing towards premeditation and sanity, and thus aggravating as regards the form of punishment passed.[22] Various other studies also show that suicides were prominent among criminals, suggesting that the related shame and marginalization were important factors in the early modern suicide phenomenon.[23]

The other recurring background factors in the court records also come up approximately equally in the trials of both male and female suicides, and there is nothing indicative of their gendered use in making sense of or explaining the suicides. Indeed, witnesses and lower courts alike considered serious physical illnesses and disabilities, in particular those involving great pain and major decrepitude among the elderly, as culturally understandable (although unacceptable) reasons for being weary of life and causes for suicide.[24] Similarly, interpretation that the suspected suicide had had a guilty conscience over something (real or imaginary) was an incriminating and aggravating factor, as guilty conscience, remorse as well as excessive feelings of sinfulness were understood as essential traits of despair and thus as lines of thought conducive to suicide. If these feelings were considered groundless, and thus the guilt delusional, it was in turn indicative of an unsound mind and interpreted as asign of (religious) melancholia. However, explicit references to these occur quite rarely (in under seven per cent of the cases), and generally appear to be well founded as the witnesses typically base these interpretations on what the deceased had told them.[25] In turn, excessive

drinking or alcohol abuse, although similarly rarely mentioned, was not directly or at least explicitly applied as an explanation, but rather served as a piece of additional circumstantial evidence and as aggravating character evidence of the person's sinfulness, unchristian ways of life and immoderation (*överdådighet*) that certainly corresponded well with one of the 'official' images of suicide as an act of an evil, despaired and morally failed individual.[26]

Thus, the interpretations of the relevant background factors and explanations for suicide were slightly gendered in that in particular mental illness but also interpersonal, emotional factors were mentioned and evinced as explanations more often in cases concerning female suicides while—regardless of the fact that more of the female suicides were mentioned as having been poor—financial troubles were understood as the causes of male suicides relatively more often. As a result of this gendered association of insanity and mental weakness to female suicides, women were sentenced as insane suicides relatively more often than men (about 40 and 30% respectively), whose suicides were more often interpreted to have had 'rational' causes.

However, gender alone, or the age of the deceased, with the exception of the few young children in the material,[27] did not decisively affect whether or not the suspicious death was classified as a suicide—this rather depended on the interplay of other factors, in particular the reputation and local social ties of the deceased. As already mentioned in Chapter 4, the lower courts were at times selective in the emphasis they placed on incriminating and counter-indicative circumstantial evidence when classifying the sudden deaths and mental states of those considered suicides. Also, gender alone did not influence how compassionately the case was discussed, or whether the suicide itself was portrayed as an understandable, even pitiable choice in a difficult situation or explicitly harshly condemned in the records. However, extremely high age, combined with the deceased having had long-standing roots in the locality, appears to have influenced how the person and his character were portrayed in the trials; relatively many of the elderly were praised by the witnesses for their good character,[28] indicating how old age in general merited esteem in early modern communities.[29] Moreover, communities may have been prone to classify certain types of non-violent deaths among the elderly, namely by drowning or unidentified cause, as accidents related to infirmity and decrepitude or simply 'natural' and caused by old age. For example, an elderly person found dead in water could,

with or without a court investigation, be interpreted as having fallen into the water and died accidentally because of his or her physical state. Indeed, possibly deliberate drownings of very old people were at times classified as accidents in the lower courts.[30] Nevertheless, high age alone could not protect a suspect against a suicide sentence; again, the interpretation was casuistic and even entirely plausible mishaps of the elderly were at times sentenced as suicides. In fact, the elderly (those over 60) appear to be slightly overrepresented among the sentenced suicides considering that they constituted a lower proportion of the population. This may ultimately result from a possibly higher suicide risk among the elderly as their physical and material conditions and dependence from others often left them in a vulnerable position.[31]

The judicial documents suggest that a high estate position influenced the treatment of suspected suicides in the courts, in particular when the main sample of 189 cases sentenced as suicides in the lower courts is augmented with acquitted cases and cases from the Court of Appeal documents. The paucity of cases involving the three higher estates, the nobility, clergy and burghers, is not surprising, as they constituted a small proportion (about five per cent) of the total population.[32] Moreover, the person's estate could determine the legal tier and specific court in which his case was tried in the Swedish judicial system, as the idea was that estate privileges included the right to be judged by one's peers. In the case of the nobility this meant that the Courts of Appeal were to serve as the first instance for passing judgement on their crimes,[33] while crimes of the clergy were ideally dealt with in the ecclesiastical chapters (Bishop's Court, *domkapitel*). Also, academic consistories, a type of lower court in the universities, dealt with the offences of the students and staff, many of whom were of the higher estates, and the offences of officers and other military and naval personnel were often similarly dealt with in special courts of law. Burghers, in turn, mostly resided in towns, and, as mentioned in the Introduction, the materials of the Town Courts have not been widely included in this study. Thus the higher estates are most likely underrepresented here. Only two members of the nobility,[34] three of the clergy[35] and four burghers[36] were sentenced for suicide. Also, three suicide cases that were acquitted in the lower courts verifiably involved burghers.[37]

There may be other reasons for the paucity of the nobility, the clergy and the bourgeoisie among those sentenced. It can be assumed that the kin of the higher estates had the motivation to conceal their members'

suicides to prevent the case even getting to court. Since a public trial and suicide verdict would have tarnished their honour within their communities and networks, the noble, clergy and prominent burgher families no doubt had an interest in, as well as better means for covering up their members' suicides and disguising them as accidents or natural deaths in order to avoid scandal. It can be interpreted that the higher estates in general had a greater motivation to cover up deeds that could bring shame upon themselves and their kin than did other groups, as the expectations regarding the virtue, chastity and exemplariness, especially of members of the nobility and the clergy, were high(er)[38]; thus, the social ramifications and stigma could be great. Moreover, the courts may have had a tendency, or even motivation, to acquit suicides among the higher estates. For example, in early modern England and France the nobility and the clergy almost always escaped prosecution, or at least sentence, for suicide.[39] In England only 1.6% of all recorded and indicted suicides between 1485 and 1714 were peers, knights, gentlemen or their family members, although their proportion of the population was much greater. When the self-inflicted death of a nobleman came to court in early modern England, it was far more likely than a similar death among other groups to be classified as an insane suicide, which meant acquittal according to the law.[40]

It is plausible that the nobility and clergy were also less likely to be indicted and sentenced for suicide in early modern Sweden. The members of these estates were generally considered superior to other people, intrinsically more honourable and moral, and were expected to lead respectable and godly lives.[41] These images probably influenced the interpretations of their suspicious, untimely deaths, and therefore influenced whether they were indicted for suicide in the first place. Such honourable groups, especially the devout clergy, were considered less prone to commit such a terrible sin. Moreover, if suspicion arose, the wealth and social capital of these groups presumably gave them the means to influence or even bribe witnesses and officials.[42] For example, regarding other criminality, it has been argued that the general scarcity of nobility among offenders may result from their reluctance to appear in court or enter into such public disputes with their social inferiors, the reluctance among officials and community to take their matters to court, and witnesses' reluctance or fear of testifying.[43] For the same reasons, it has been suggested that even if the suicides of the higher estates were investigated in the secular courts, they were more likely to be acquitted or

be given more lenient forms of penalties and in general treated more compassionately. In some Western European areas the juries sympathized with them out of deference and attempted to shield their families and kin from scandal.[44]

Although the number of cases involving the three higher estates is small, it is noteworthy that the lower courts and witnesses (as also eventually Court of Appeal lawyers) discussed the cases involving the nobility, clergy and burghers empathetically, typically praising the accused, pleading insanity, considering the suicide a terrible misfortune or even classifying it as accident, and finding mitigating background factors and explanations for the suicide that laid the blame and responsibility on others. The witnesses and the courts were very prone to find extenuating circumstances. Though not necessarily resulting in acquittal, the interpretations and rhetoric in the court records and other judicial documents suggest a relatively reverential treatment.[45] Examples of these are presented in the following section. Compared to other groups—the landless and 'estateless', such as servants and soldiers, and the peasants—the trials of suicides among the higher estates are far more likely to be characterized by numerous testimonies of mitigating circumstances, in particular of good, Christian reputation, life and character, claims of insanity and pleas for lenient forms of punishment.

The most numerous 'estate group' among the suicides sentenced consists of those belonging to no estate: nearly 58% ($n=114$, here total $n=198$) were verifiably landless, a mixed group of labourers, soldiers or artisans and their family members, poor dependants and farmhands or maidservants unrelated to the peasant or other landed households in which they worked or resided. Their share among the convicted suicides appears slightly overrepresented when taking into consideration their proportion among the total population.[46] Only about 37% ($n=74$) were verifiably of the peasant estate, either masters or peasants' wives, widows, children or siblings or parents of a peasant master couple residing in the household.[47] As in the case of the three higher estates, the witnesses and the courts were more prone to find extenuating circumstances in the case of those who were of peasant estate compared to those of no estate. Insanity was pled more often, and also accepted by the lower court as the classification: while over 40% of the peasants were sentenced as insane suicides, only about 32% of the landless of no estate received the penalty for committing suicide while insane. Sanity classifications were applied, and thus the harsher penalties were directed more likely for

the landless.[48] Moreover, the share of the landholding peasants and their family members is greater among the small sample of acquitted cases.

All this suggests that the estate position protected the peasants and their families from receiving a harsh penalty. As mentioned, it has been suggested that a 'high social position', understood to mean landed peasants and the clergy, could help a person to evade a suicide sentence and especially the harsher form of punishment imposed on sane suicides in early modern Sweden.[49] Yet this correlation does not mean that the estate itself was the protecting factor; in turn, as will be discussed below, certain favourable features—often connected to an estate position—such as kin ties and other local social ties played a more important part. The estate, usually an inherited position, only partly determined one's place in the stratification system; social diversity and the individual's social status, which manifested itself in the ways he or she was treated by others, was connected to various circumstances and ascribed or achieved personal attributes, such as gender, age, kinship, personality, wealth and position in the local landholding system. Hierarchy, especially between peasants and people of no estate, was merely ideological and did not necessarily reflect, for example, differences in wealth or social capital. The Crown and the higher estates regarded peasants and people of no estate alike as commoners, as peasantry (*allmogen*). Furthermore, social stratification existed within the peasant estate, among the diverse group called peasantry and among townspeople; similarly, the noble, clergy or bourgeois estates cannot be treated as homogeneous groups, as each was a heterogeneous group characterized by internal hierarchies.[50] Moreover, social status was far from an established foothold, but a fluid position that was constantly changing and being negotiated and reproduced, varying depending on personal characteristics and behaviour as well as the situation and the setting.[51]

In a society where most sources of livelihood were based on manual and physical labour, the person's status within the community depended to a large extent on his or her occupation and ability to work. In a Lutheran society work was decidedly both a duty and a basis for personal worth and social esteem.[52] The sources of livelihood among the sentenced suicides included a wide range of trades in both rural and urban settings, from scraping together a living by begging or thieving to living off income from rents. The professions of those who worked ranged from agriculture, domestic service, military, handicrafts and trade to mining, smithery and other physical labour. Most strikingly,

a significant proportion (over 40%) of those sentenced for suicide were at the time of their death unable to fulfil their workload as members of the peasant or burgher household, hirelings, soldiers or in other trades and dependent largely or entirely on others for their keep. They include those who were permanently unable to provide for themselves because of long-term physical or mental disability or old age, those who were too sick or mentally ill to work, and those described as supporting themselves by begging, thieving, currently imprisoned or referred to as beggars or vagrants. Many of them were dependants because of their old age and decrepitude, although the situations and causes of inability to support themselves among the rest varied greatly. Their number suggests a link between disability and inability to work or support oneself and suicide, or, more precisely, at least between the inability to support oneself and the accompanying precarious and low social position, and thus perhaps a greater probability of being indicted and sentenced for suicide. Most of the landless dependants certainly lived on the margins of the community, but most of the peasants appear to have had a relatively secure future under the care of their kin during their old age or time of sickness.

Being of no estate and landless, and the aforementioned disability and inability to work, were typically accompanied by poverty. If one includes the suicide cases in which economic troubles of all sorts were mentioned with cases involving dependants supported by strangers or landless kin and cases in which the person was verifiably a landless hireling, labourer or soldier or their family member, the vast majority of the suicides appear to have been poor, or at least significantly poorer than an average peasant farmer. Also, the poor and people on the margins of the community were sentenced for suicide significantly often, for example, in medieval and early modern England and in early modern Geneva.[53] This itself suggests that people living in poor and vulnerable situations more likely resorted to suicide, or that such inferior economic standing of the deceased resulted more likely in suicide sentences.[54] However, again, modest means alone did not determine a person's reputation, nor treatment of his or her crimes and death within the community and in the lower courts. In general the person's occupation or source of livelihood,[55] or even wealth or dependence on the support of others, only partly describes his or her social standing within the community. Next, I discuss how in the lower courts the deceased's local social ties

(social capital) and reputation were important factors in the treatment of their suicides.

The Well-Liked and Virtuous vs. the Disreputable on Trial

As is well known, a person's social position and situational status in the local social hierarchies was a result of a complex interplay of various attributes. Together, they created a general image, and the reputation, of the person as a spouse, parent, neighbour and parishioner, and influenced the number and nature of his or her local social ties, which manifest themselves in the suicide trials where witnesses and juries produced information and pleaded for cases or chose to be absent.

Naturally, the accused's household and kin ties, as other positions in and ties to the local community, generated social resources and capital. For example, the peasant masters had a stake in the local landholding system which entailed co-operation related to agriculture, forestry and fishing with neighbours and other landed households. The part-time posts and positions of trust in the local and parish administration were also given to men in these stations, in particular the wealthiest freeholder households, who, as a result, could be called the local peasant elite. In general, membership of a prominent kin group and household, with long-term, even cross-generational neighbourhood ties no doubt conferred social and symbolic capital.[56] This may in part explain why the three higher estates are underrepresented among the suicides sentenced; an estate position, land ownership and wealth were typically connected to ample social capital. The greater the rate of (positive) interaction, the greater the feelings of friendliness towards the deceased and their significant others. Also, as pointed out by Jack Douglas, the greater the integration of the deceased and his significant others into the local community, the greater the possible gains or losses involved for the officials in making a decision favourable or unfavourable to 'local' preferences. It may simply be that the more socially integrated into the local community an individual was, the more the communities tried to avoid having the death categorized as a suicide and the more likely both ordinary people and officials were to be favourably influenced by the preferences of the bereaved.[57] As the juries of local peasants or burghers, of whom many themselves were not only members of these local elites but also

personally acquainted with the firmly established families of the locality, made the decisions on guilt and mental state, they could be favourably influenced, consciously or unconsciously, by the preferences and needs of the family and friends of the deceased.[58]

There is a connection between lack of social ties and thus weak social integration within the communities and suicide and suicide classifications. Firstly, at the individual level this is apparent in social isolation, which is closely linked to suicidality, and known to contribute to suicides.[59] Indeed, the significance of social isolation and its risk manifests itself, for example, in the suicides of those imprisoned or awaiting criminal penalties or isolated due to allegedly contagious diseases.[60] Lack of an established position in the local landed households, for example among landless servants, rural workers or soldiers, as well as being unmarried (single or widowed) or childless—all prevalent groups among the sentenced suicides—can generally be associated with a greater risk of social isolation and lack of local social networks. The lack of close ties within one's village or parish also meant fewer people to intercede and plead for the case in the trial. For example, insanity was claimed especially in the cases of those with kin ties in the household in which they resided. The small sample of acquitted cases also suggests that having kin to intercede was important. The court records show that the accused who were firmly established in the locality, as kin members of local households or otherwise with kin and close social ties and even offices and posts in the locality, generally had a better defence, i.e. more people, both related and unrelated, speaking up for them in the trials.

Numerous studies show that people were more inclined to use formal channels of justice against strangers and those perceived as outsiders, such as the very lowest strata, immigrants, vagrants and newcomers. Also, culprits lacking ties to the local community were often punished more harshly in the courts than those considered insiders.[61] The 'dark figure' of crimes, in this case suicides, makes it difficult to say much about the readiness to report and indict the offences of certain groups more eagerly or swiftly. The majority of the suicides had been longer term residents with at least some relatively solid ties in the locality. However, individuals unrelated to their employer or lodging households, namely hirelings, labourers, soldiers and other landless folk residing on the common lands or other people's estates, as well as vagrants, beggars and other strangers had relatives appearing before the court in their trials significantly more rarely and in less numbers than did other groups.

Nearly all of those who were, or had recently come, from other localities and who clearly lacked an established position and close social ties in the locality were sentenced as sane suicides.[62] This alone indicates that those lacking local social capital were in a less fortunate position before the court. In general, the landless, who were, as mentioned, overrepresented among the sentenced suicides were typically more mobile, moving in pursuit of work or at worst begging, and thus more likely residing far from their kin and having fewer established social ties in the locality. With the exception of skilled artisans and other specialized professionals whose expertise was appreciated and needed by the landed households, their situation meant that they typically belonged to the lower strata of the economic and social hierarchies, with the dependant boarders, beggars and vagrants at the bottom.[63]

Nevertheless, being a local resident or having kinship or marital ties to a resident household or the locality did not, of course, automatically mean that the person enjoyed a good position, respect or beneficial ties in the household, village or town community; in local relationships quality outranked quantity. Behaviour and personality had a significant influence on the person's status and ties both inside and outside the household.[64] Unsurprisingly, those with close and friendly ties in the locality had the best position and 'defence' in the suicide trials, while those at odds with their family or other community members did not necessarily have anyone to speak for them and present mitigating evidence.[65]

The general reputation of the accused suicides comes across vividly in the testimonies and the court records, in the opinions about the deceased's character and past and recent behaviour, way of life and relationships with others as well as the adjectives and loaded terminology used in these descriptions. These are of course the best indicators of the person's relative social status within his or her local communities (such as family, household, work community, parish). Alongside the personal qualities of the deceased and conduct towards others, 'ways of life' and religious practice were of the essence. Simply put, those described as peaceful, mild-mannered, meek, dutiful, diligent or hard-working, God-fearing or pious—all positive characteristics in early modern society as well as Lutheran ideals, promulgated, for example in the Small Catechism—had a relatively good reputation.[66] Also, peaceful and good marital, household and neighbourly relations were considered important and good qualities in the rural and urban communities where livelihood

required nearly constant co-operation.[67] The relationships of the accused were not described solely in order to exclude the possibility of murder, but also in order to establish the character of the accused and to portray them in a good or bad light.[68]

Certainly, godliness, piety and diligent religious practice were esteemed virtues and showed that the person had followed the norms and Christian ideals. The religious observance of the accused was discussed in nearly all cases, which likely has to do with the notion of suicide being a terrible sin into which especially those in despair descended and which no good rightminded Christian could commit. The sin of despair was thought to manifest itself in negligence in church-going, prayer and other religious practice, even rejection of religion altogether, and was also associated with the sins of sloth and laziness.[69] In the case of those who had a good reputation, adjectives like pious and God-fearing and references to religiousness and diligent religious observance served various purposes. They were referred to as (circumstantial) evidence of insanity or even of the likelihood of an accident, in an attempt to portray the accused as a person who had not spurned God and was incapable of such a grave sin, and thus was more 'deserving' of a burial of some form conducted by others than the executioner.[70]

A person of good repute had not been involved in criminal activities: the behaviour of a respectable person was not disruptive, but 'God-fearing' and honourable. Past crimes and penalties could tarnish one's good name.[71] As mentioned, in the search for possible motives suggesting both intentionality and sanity, the witnesses were often questioned about the past sins and crimes of the accused. However, the incriminating background factors mentioned above, such as interpersonal or marital discord, crimes, guilty consciences or alcohol abuse had no part in nor were in the least associated with the lives of those whose good reputation was highlighted.[72] In pleading for the cases the bereaved and other local witnesses occasionally emphasized that the deceased had committed no crimes or vices.[73]

Conversely, those of ill repute and disliked in the community were described with numerous pejorative adjectives and epithets in the lower court records. Most of all, the ill-reputed were 'godless' or 'ungodly' (*ogudachtig*), i.e. according to others had led a bad and sinful life characterized by such failings as non-attendance at church, prayer and Communion, quarrels or even violent behaviour and past crimes and sins like alcohol abuse.[74] Also, laziness was considered one the greatest vices,

and dereliction of duties, including poor management of one's household or not attending to sermons and Communion, undermined an individual's honour.[75] The behaviour and adjectives ascribed to disreputable men describe the counter-ideal of the male gender and good master, who was supposed to manage his household well; violent quarrels with family members and neighbours and debts related to drinking were especially indicative of general incompetence and ineptitude to fulfill the expected masculine domestic and public duties. Similarly, the landless men who did not attend to their duties or obey their masters or parents breached the ideals of a good worker and subject. In turn, besides the aforementioned godlessness and ungodly ways of life, bad and angry temper was considered a particularly negative characteristic for women,[76] most likely as this ran contrary to the earlier mentioned feminine ideals of being meek and docile. For example, in Turku in 1664 several witnesses described an ill-reputed beggar, Margareta Henrichsdotter, as a quarrelsome, foul-mouthed drunk and 'hag' (*kona*). Alongside the numerous negative adjectives and pejorative terms applied to her, the fact that the court record includes nothing positive about her manifests her extremely low social status.[77] In general, behaviour contrary to God's commandments and general morals and norms was clearly frowned upon, and thus 'lowered' one's social status.[78]

The reputation of the accused suicide set the tone for the investigation and the text in the court record. As discussed in Chapter 2, not all suicides gave rise to fear and abhorrence upon discovery; some were considered pitiful, lamentable tragedies. This selective treatment continued in the trial. The image of the person influenced how the suicide was portrayed and more generally understood in the trials. Certain cases were met with compassion and empathizing with the bereaved or the living conditions of the deceased while others received harsher treatment. Although there were as many unique life stories as there were individuals on trial, the narratives and interpretations formulated in the lower courts bear recurring, similar features. Next, I present the most distinctive 'suicide narratives' that were created, influenced by the contemporary cultural stereotypes and the deceased's person and social status.

Starting from the narratives that coincide well with the authorities' views on suicide as a heinous act of an evil, moral-religiously failed individual, described in Chapter 2, the most harshly condemned group could be called the monstrous suicides. These were the suicides committed by particularly notorious individuals, i.e. those of the lowest social status:

quarrelsome and even violent persons, alcoholics, notorious sinners and criminals. They were portrayed as wicked, even vicious persons whose depraved nature was the cause of their suicide; in such cases the suicide was portrayed as an outcome of the person's utter immorality, and no discussion on mitigating circumstances or other possible explanations for their suicide were recorded. A great range and quantity of pejorative epithets and adjectives are linked to them in the judicial documents. Local people, clergy and family members were usually very open about their past behaviour, sins and unchristian ways of life, recalling their past and misdemeanours and describing their personalities with very negative adjectives. In fact, their relatives did not typically even attend the hearing, or if they did, they did not speak up for the deceased, manifesting how they were considered a vexation in their communities. There are no references to grief or woe in their cases.[79]

A typical example of this type of suicide narrative and trial, in which the case was treated especially harshly, comes from Tuna in Central Sweden in 1664 and concerns the suicide of Karin Michelssdotter, a landless widow lodging at her mother's small croft. In this case, the scribe compiled a coherent narrative in the record about the events leading up to her suicide. First, after briefly presenting the case by stating that Karin had hanged herself about two weeks earlier, it is recorded that the reason was that some of her belongings had been stolen. On the day of her suicide she had complained about this to her neighbours, and had also said that she should kill herself for she had no friends.[80] Also, the day before her suicide a major quarrel in the household had raised a commotion: Karin had started a fight, screaming at her old mother and throwing her mother's possessions as far as she could in the snow, reviling her and telling her to 'shit and piss herself'. Karin's brother had managed to stop her from striking her mother. Word soon reached the local constable (*länsman*), who had arrived the next day to reprimand Karin, warning her of God's punishments and legal penalties for those who rose up against their parents. Upon leaving, the local constable had told Karin that he would report her actions to the vicar. Later that night, Karin had gone into a hay barn and hanged herself. In the trial, numerous witnesses described her bad and angry character as well as ungodly way of life.[81] Karin's mistreatment of her mother was common knowledge, and she had been reprimanded by the local clergy several times for her bad behaviour and quarrelsome nature. Furthermore, she had had clashes with other local people and it was even mentioned that her late

husband had been unable to live with her due to her bad temper and had drowned himself out of despair. There was no one to speak on her behalf at the trial (or if someone did so it was not recorded). The adjectives used to describe Karin's character indicate that she was not an appreciated member of her community: she was portrayed as an angry, ungodly and evil person who had not shown any signs of changing her ways or ceasing to maltreat her mother regardless of several reprimands. Thus she was sentenced to be taken to the woods and burnt at the stake, which the Svea Court of Appeal later confirmed.[82]

Like Karin, others who had been physically violent towards or had seriously verbally insulted their parents were represented as the most atrocious and wicked.[83] To give an example, Anders Erichsson was described as a wicked man who had maltreated and quarrelled with his mother several times. Before hanging himself in the forest in 1695 he had even threatened to cut his mother's throat if she tried to follow him to the woods. He was described as a godless, insolent, mean man who had an evil and angry mind and no virtues. His suicide was portrayed as the understandable end of a notorious sinner, and described as a devilish act (*diefwulsk giärning*).[84] All were considered sane suicides and punished as such, with their past wicked behaviour indicating that they were indeed capable of terrible sins and more susceptible also to the sin of despair. The court records of such 'monstrous' suicides typically include the kind of unequivocal moral condemnation of the person and the act that was also vividly present especially in the contemporary theological texts on suicide presented in Chapter 2. Their life stories and behaviour were depicted as the apotheosis of evil and unchristian conduct, and served as the contrasting imagery to a favourable and wholesome life and conduct. The narratives indicate not only that the person was of the kind whom witnesses and lower courts considered deserving of a harsh verdict and punishment, but also that demonization, distancing and even dehumanization of the accused was one way to deal with suicides and render them more 'comprehensible'. Nevertheless, it is certainly possible that the storylines in the court records were adjusted to justify the verdict as the aim of the lower court record was to convince the Court of Appeal that the correct outcome had been reached. Regardless, the recorded text and testimonies bespeak a categorical condemnation of suicide.

It must be emphasized that as the reputation and quality of local relationships were central, even the landed, and thus relatively wealthy peasant masters and mistresses might have very low social status if they were

ill-reputed and disliked in their communities due to breaches of norms and bad, 'ungodly' (*ogudelig*) ways of life.[85] However, it was significantly more uncommon to portray landed masters and their wives or widows negatively than in a positive light with the aforementioned favourable adjectives and claims. Also, those of the three higher estates were rarely described as notorious, with two exceptions. Although Gustaf Brandt was not only a burgher and shoemaker but also a Town Council member (*alderman*) in Köping, his alcohol problems, quarrelsome temper and infamous, violent fights with his wife had caused him to have a very bad reputation. Even the burgomaster had to attempt to reconcile their disagreements. Brandt's relationships and personality were described by numerous witnesses at the trial and the Town Court sentenced him as a sane suicide.[86] A noble, discharged lieutenant, Gustaf Adolf Frölich, had been discharged and sentenced to prison for his various violent crimes; nevertheless, all this and his suicide were ascribed to mental weakness by witnesses and the lower court sentenced him as an insane suicide.[87]

It is no wonder that the ill-reputed in general were almost without exception sentenced as sane suicides, and thus suffered the most shameful penalties at the hands of the executioner. Insanity was rarely mentioned and their personality, past sins or more recent crimes were understood to be the causes of their suicide. After all, they were certainly perceived to have a tendency to sin as well as a motive, for the cultural ideas of motives included circumstances that also produced their bad reputation (especially past crimes and awaiting trials, marital and interpersonal strife, sins producing a guilty conscience). An individual whose life was characterized by elements deemed negative could be considered to have a rational reason for resorting to suicide, resulting in the case being more easily classifiable as a *sane* suicide. As discussed in Chapter 4, a murky past not only served as corroborating evidence in classifying a suspicious death as a suicide but also as proof of sanity. Notorious individuals were unproblematically considered deserving the harshest penalties; punishing them severely plausibly served various communal interests and needs. Some probably considered that it appeased God's wrath that could be incurred when crimes and sins were committed. It also served as an example, deterrent and warning for others of the consequences of breaching the norms.

The narratives and rhetoric in the lower court records clearly manifest an entirely different treatment of the suicides among those of very good and of particularly ill repute. Take, for example, the suicide of Pehr

Pehrsson, a peasant master involved in mining, investigated in the town of Falun in 1697. After presenting the case by recording that Pehr had hanged himself in his home yard a few days earlier, numerous neighbours and other townsfolk testified to his honourable and simple character, peaceful and orderly life[88] and stated that they had never heard anything but good about him. Yet, six months ago Pehr had fallen ill, after which he had become plagued by 'gloominess'. He had been particularly gloomy recently as his efforts in mining failed time and time again, no matter what he tried. It was recounted that as a result he had run into financial difficulties and debts, and his wife and five small children had been compelled to resort to begging. The terminology and rhetoric[89] suggest that the local witnesses and aldermen on the jury clearly commiserated with the difficult situation of this young man. Although some mentioned that they had heard him complaining about it, it was emphasized that he had always turned to God for solace and aid. The Town Court chose to ignore the clear indications of reason and the evidence of temporal worries, typically understood as signs of sanity and despair, and sentenced him to the most lenient form of penalty for suicide as possible: a silent burial in some outlying part of the churchyard.[90]

This account of Pehr Pehrsson's suicide is a good example of another clearly distinctive 'suicide narrative': that of the 'poor suicides'—not necessarily poor in a pecuniary sense but in the sense that the witnesses and the lower courts appear to have commiserated with their difficult life circumstances understood to have caused their unfortunate suicides and to have even pitied them. Whether deemed sane or insane, the suicides of individuals who had experienced what others considered misfortunes that they had not brought upon themselves (i.e. for which they were not to blame) were typically discussed and treated compassionately. Their suicides were associated, for example, with great physical pain, destitution or grief caused by the death of a family member, and even presented as understandable choices in difficult situations.[91] This type includes the suicides of those who had been feverish and delirious and were thus considered less responsible and in a way victims of sudden mental disturbance that had led to their sorrowful demise by their own hands.[92]

The suicides of those known to have been particularly devout but thought to have suffered from great mental or physical pain were especially grieved over and considered less reprehensible and more tragic than other suicides.[93] A case from Tuna, in Central Sweden, is a good example of this. It was reported that 'the lamentable event'

(*den beklagelige händelsse*) had taken place eight days ago, as Daniel Mattsson's wife had hanged herself in her own home. The neighbours described her long illness, affecting her head and chest, and great pain in the eye that had almost deprived her of her eyesight. Many had helped the couple with their chores and livestock. The unnamed wife had never been impatient and had always turned to God, read and sung. She was described as having had a long and good marriage and having led a 'cheerful, God-fearing life'. The widower Daniel, having been unable to even appear before the court, was said to have mourned this 'miserable incident' (*detta ynckelige fall*) so greatly that the neighbours present at the trial claimed that they were worried that he might lose his mind. The lower court concluded that the wife had taken her life due to the severity of her illness and in a state of insanity, and, also referring to her pious and God-fearing life, sentenced her to be buried in the churchyard, very exceptionally with no mention of a specific location or restrictions on ceremonies.[94]

As in Pehr Pehrsson's trial described earlier, in the case of esteemed or well-liked community members with favourable social ties, incriminating background factors and aggravating circumstances pointing towards a 'rational' motive, like recent losses, financial hardships and quarrels, were at times overlooked.[95] For example, Hans Jöransson's self-inflicted drowning, and his preceding previous attempts and suicidal talk, were explained by his severe grief over the death of his son. The witnesses described him as a very calm and peaceful, God-fearing man. His family told the court that he had been beset by sorrow for almost a year due to his son's sudden demise, and that he and his wife had also lost another child which left them helpless and without care in their old age. Nevertheless, the lower court considered him to have acted in mental weakness and sentenced him as an insane suicide.[96] Similarly, reported grief over the death of a spouse was at times ignored in the suicide trials of reputable local community members who were more likely to receive the more lenient verdict of an insane suicide.[97] On occasion, the lower court was clearly reluctant to pass sentence on an esteemed community member and left the decision to the Court of Appeal, or unwillingly concluded that they were to punish the deceased as an insane suicide according to the law but pleaded for commutation (*leuteration*) from the Court of Appeal.[98] Take, for example, the case of Pär Olofsson, a former scribe and lay member of the lower court, who had stabbed himself in the chest. Among other praises,[99] this righteous, God-fearing and highly

esteemed man was alleged at the trial in Järvsjö in 1679 to have had nothing on his conscience and lived in unity and concord with his wife. His widow claimed that he had suffered from 'gloomy-mindedness', and the vicar agreed that he must have suffered from melancholia in his last moments for he had always trusted in God and practised religion. His friend also testified to having tried to help him and talk him out of his gloominess. The widow implored the court with tears and supplications to let Pär's corpse be picked up and buried in the churchyard.[100] The lower court agreed to this, petitioning that the Court of Appeal would allow the bereaved to transfer the corpse from the yard and inter it in the churchyard, and pointing out that neither the widow nor many more present would be content if the corpse were buried outside the churchyard. They left the sentencing to the Court of Appeal but permitted the corpse to be removed and stored until the final resolution.[101] All this suggests that the lower courts were at times susceptible to pleas by the bereaved and local populace in the case, reluctant to face possible local discontent or agreeing that such a reputable person who had led a good, Christian life should not be subjected to the shameful executioner's treatment or even to burial outside the churchyard.

Pleading local desires and discontent was one way to try to influence the decisions of the lower court. Getting the vicar to speak for the accused was another useful strategy deployed by the bereaved. The vicar's opinions seem to have been given great weight. For example, also in Järvsjö in 1679 in the trial over another suicide, the daughter-in-law of the deceased, a retired and highly respected former peasant master, pleaded for an exemption from the executioner's treatment as the son would lose his mind if the father could not be buried. The vicar joined in the plea, commending the deceased's Christian character and religious practice and claiming sudden dizziness in the head, and thus insanity, like the family and friends of the bereaved. The scribe even included his ponderings of the possibility of God being merciful for those having committed suicide while insane, no doubt, to also influence and evoke compassion in the distant Court of Appeal. The lower court went along with the plea, enquiring whether there might be a way to grant the bereaved to bury the corpse. However, they felt unable to sentence him as an insane suicide, as the man had been lucid and clear-headed with the exception of his temporary insanity fit a decade ago during which he had killed his wife.[102] The words of an office-holder were given emphasis,

and having the local constable, juror or even a higher official to speak for the accused or corroborate statements of insanity was beneficial.[103]

Indeed, even incriminating evidence was at times ignored in the cases involving well-liked and virtuous, esteemed community members, as well as in the rare cases involving the three higher estates. To give an example, in 1691 the case of Kerstin Jöransdotter, an elderly and blind peasant widow and mother-in-law of a freeholder, was acquitted although she had complained about having to live so long and about her sickly condition and poverty, and said that she would not die unless she killed herself. Her body was found barefoot drowned in a brook near her yard. She was described as a devout woman of good repute. The lower court chose to ignore her suicidal talk and other incriminating evidence, and classified her drowning as an accident related to her old and frail state. This acquittal was soon overturned by the Svea Court of Appeal, denying her Christian burial.[104] Similarly, in 1693 a devout, God-fearing wife, Malin Erichsdotter, found drowned in the lake, was entirely acquitted of suicide although she had been suffering from 'gloomy thoughts' for over a decade.[105] The lower court also acquitted the suspected suicide of a devout and hard-working peasant widow, Brita Bertellsdotter, although it was mentioned that she had been recently widowed, had behaved oddly and was on the verge of losing her farmstead due to indebtedness. She had been found drowned in the river having gone there alone in the night.[106] The lower courts might even end up with quite bizarre interpretations in acquitting dubious cases of respected local community members. For example, in 1691 the demise of an 'honourable' peasant master found in the river with his neck dislocated and head spinning around (good indications of a broken neck that could result from hanging) was explained by his fall into the river due to his dizziness while drunk, after which he had been attacked by *Näcken*, a mythical water creature that had killed many in the same river in a similar way.[107]

The three acquitted suicide cases of highly esteemed burghers also include various incriminating circumstances to which the courts turned a blind eye, making curious interpretations. For example, regardless of eyewitnesses, two women, who had seen Petter Thorin, a respected notary of the Chamber collegium, jumping into the water and describing how he had fought back while they were trying to save him, his drowning was classified as an accident. Thorin had spent his last hours at his place of work until six in the evening, after which he had attended evening prayer at Stockholm Cathedral. Later in the evening he went to visit a

registrar and took care of some business and played a board game with him. Petter had been worried about his workload and talked about being unsure whether he would get everything finished in time. Around eight in the evening he had said he would go to see the postmaster. He was next encountered by two women on the shore, asking them to row him to an island east of Stockholm to see some tailor's widow. They had rowed him across and left him there. Later, when the women were some distance away continuing their journey, they noticed that Petter had first laid his hat, gloves and a letter on a bench, and had gone to another boat from which he jumped into the water. The women rushed to the spot and attempted to rescue him but felt that he was resisting their attempts. As suspicion of suicide was evident, the case was taken up by the Town Court, that pressured the women to tell the truth and not to state their convictions about his suicidal demise as a fact. The Town Court concluded that his drowning had been accidental, justifying the decision on the following grounds: Petter had always led a godly and peaceful life, had never shown any signs of such passions that could drive him to want to kill himself, had been praying the same night and had appeared content and shown no signs of having suicidal thoughts on the day of his death. Both the Town Court and, later, the Svea Court of Appeal permitted him to be removed from the sea and given a Christian burial.[108]

A similarly reverential treatment and selective interpretation of evidence can be seen in the other suicide cases involving burghers. The *Jungfru* (an unmarried woman of higher standing, typically from a burgher family) Margareta Nyman was allowed a Christian burial, although she had been suffering from mental weakness for some time and had occasionally bemoaned, sighed and talked in a worrisome way before being found drowned in the sea. While visiting her relatives on an island, she was interpreted to have climbed onto a high bench to reach light outside the window, which she must have got through to end up in the sea, but had somehow accidentally fallen due to her weight.[109] The third acquitted case, of a renowned, pious burgher Anders Rusbonius, also included various incriminating factors, as already presented in Chapter 4.[110]

Another good example of the casuistic and selective treatment of suicides is a case from Västergötland, investigated in 1721, already briefly mentioned earlier. A noble, discharged lieutenant, Gustaf Adolf Frölich, was said to have become mentally weak due to his wife's condition; she had miscarried and was on her deathbed. The witnesses described him as

very taciturn and strange. He had been in serious trouble with the law a few years earlier, when he had, among other things, raped a maidservant and raged and broken things at a vicarage and in a tavern. The witnesses had heard that he had behaved like a madman when sentenced in the military court, and that he had been sentenced to imprisonment for his several crimes. Such details were certainly taken as incriminating evidence in other suicide trials, but the lower court nevertheless deemed that he had not committed premeditated suicide and allowed a silent burial in an outlying spot in the churchyard.[111]

It is noteworthy that, according to the testimonies, estate positions, i.e. being a landed peasant master (or mistress), burgher, or member of the clergy or nobility, relatively often overlap with having a good reputation and having been held in high regard. Nearly all of those described as esteemed were local inhabitants and the majority were not landless but landholders (namely peasants, or members of the three higher estates). Nevertheless, the landless, like hirelings and even insane dependants, could hold a very high rank in the local social hierarchy if they had favourable social ties and were, for example, particularly pious and thus honourable according to others.[112] Still, the lower classes were much more rarely praised and described as highly reputable compared to the members of local landed families or higher estates.

It must be emphasized that there is certainly nothing in the material to suggest that those of the higher estates or highly esteemed local community members necessarily escaped penalty and the harsher sentence as a sane suicide—the indisputable suicides of outright sane individuals, however good their reputation, were typically sentenced as sane suicides.[113] High social standing or status (estate position or an impeccable reputation) did not typically affect the classifications if there was no reason to suspect an accident or natural death, for example due to hanging or eyewitness accounts, or insanity due to the known 'normal' conduct of the accused, or when aggravating circumstantial evidence was plentiful. Nevertheless, it certainly made it more likely that more witnesses appeared arguing for the case and portraying the accused in a favourable light. The suicides of local community members of decidedly good reputation were portrayed and discussed in a more sensitive manner and extenuating and mitigating circumstances were more often brought forward and taken into account in their suicide trials. In particular, insanity was plead more often in cases involving local community members of good repute and thus various favourable local social ties. Also, in

their case the lower courts ended up with a verdict of insanity far more often than in cases involving the ill-reputed or persons with mixed or dubious reputation and whose social status appears to have somewhere between high and low. In turn, aggravating circumstances were at times perhaps even overemphasized when the accused had had a bad reputation.[114] Thus, well-liked and acclaimed community members were relatively more often permitted the more lenient forms of punishment reserved for insane suicides, while the corpses of those who had not lived 'well' (ill-repute, low social status) typically ended up in the executioner's hands.

The bereaved were not always successful in their endeavours to plead misadventure or insanity. Irrefutable evidence of intentionality and sanity was typically accepted and taken into account. Cases characterized by obscure circumstances and inconclusive evidence were more open to various interpretations and contention.[115] Claims of unintentional, accidental death or insanity were challenged by the lower courts if incriminating circumstances were mentioned by others than the bereaved, in particular those of higher standing. For example, in 1697 the vicar's and the local constable's opinions were given greater weight in the suicide trial of a peasant master, Erich Michellsson, whose family claimed he had hanged himself in his mental weakness and melancholia. Although they had also invited an unbiased witness, a soldier who had formerly worked in the farm, to testify of the insanity, the vicar and the local constable mentioned how Erich had spoken to them of his feelings of sinfulness and hopelessness and bemoaned the difficult times, i.e. the years of crop failure. The vicar's testimony was particularly incriminating and aggravating: Erich, otherwise an exemplary and devout Christian, had confessed to him that he felt he had succumbed to the influence of the Devil. This immediately overturned the insanity claims of the bereaved, and thus he was sentenced as a sane suicide.[116]

Thus the past and reputation of the accused certainly had manifold influence on the course of the trial. They determined how the suicide was explained, and had at times a significant impact on how the case was treated and sentenced in the lower court. A person's way of life and piety, or religious practice, at times significantly influenced the interpretations made of his or her sudden demise, or suicide. Only some of the deceased were portrayed consistent with the prevalent cultural imagery of suicide as the act of an evil person, of despair or insanity. The cases, and their wording, testimonies and explanations offered of the 'poor

suicides' manifest that not all suicides, even by those considered sane, were considered heinous, abhorrent acts but even understandable choices in difficult circumstances. Not all suicides were understood as the ends and products of sinful, moral-religiously failed lives nor as the products of insanity[117]; instead, other understandings and lenient attitudes towards suicides existed. Testimonies and stories of the difficult lives of the accused show that ordinary people considered that other factors than the alleged despair or insanity could induce the urge to end one's life. Another indication of this is that at times the bereaved (or even the lower court) attempted to lay the blame and partial responsibility for the suicide on others.[118] For example, maltreatment[119] or financial straits caused by others[120] could be regarded as the instigators of the suicidal urges. Even the lower courts at times referred to other factors and explanations in the sentence sections of the court records.[121] Also, there are cases in which the witnesses and the lower courts concluded that they could not think of any reason or cause for the suicide, including either despair or insanity.[122]

Penalties: Diverse Disposal of Suicides' Corpses

The lower courts were officially bound to follow the letter of the law, and thus King Christopher's Law when it came to penalties for most crimes; only the higher instances, in particular the Courts of Appeal and the King or his royal council (*justitierevisionen*), could deviate from the stipulated forms of punishment and revise, arbitrate or commute (*leuteration*) them. In the late seventeenth century, when the King further centralized the power into his own hands, even the powers of the Courts of Appeal were curtailed; the praxis in both the lower and higher courts was considered problematic in the 1670s and 1680s and the King further emphasized that forms of punishment should follow the letter of the law.[123] Thus suicides were to be punished either by the executioner, who took the corpses of those deemed sane into the woods and burnt them at the stake, or by a burial somewhere outside the churchyard, in practice without the clergy and Christian funeral rites if the suicide was considered to have been insane. Nevertheless, the lower courts imposed a wider variety of punishments for suicide. The determination of a specific form of punishment for sane and insane suicide suggests some selectivity and influence of the social status and reputation of the deceased. Moreover, some of the lower courts referred to local penalty practices and some

started to follow the examples of the Courts of Appeal in determining the forms of punishment.

As mentioned in Chapter 2, during the seventeenth century the Courts of Appeal introduced and imposed a range of punishments and burials as penalties for suicide.[124] The resolutions passed by the Svea Court of Appeal in 1695, which came to serve as precedents, more clearly altered the form of penalty intended for the insane. Henceforth insane suicides were to be buried by their bereaved and other honourable folk *inside* the churchyard in silence and without ceremony.[125] Some months later a royal letter was sent to the Turku Court of Appeal stating that in suicide cases in which it was unclear whether the deceased had been sane or not, the corpse should similarly be allowed a silent burial in the churchyard.[126] A precedent in 1700 confirmed the Court of Appeal praxis and stated that the corpses of sane suicides were to be taken to the woods and *buried* there by the executioner.[127] According to the Court of Appeal sentence letters and other extant material, the Svea Court of Appeal sentenced almost all sane suicides to be buried by the executioner in the woods or another similar, remote location. Only a few sentences of burning at the stake—and none after 1666—were confirmed.[128] In one of its resolutions from 1692, the Svea Court of Appeal even states that burial in the woods is the common practice (*allment bruuk*).[129] Also, the majority of those the Court of Appeal considered insane were sentenced to be buried on the outskirts of the northern side of the churchyard, typically without any ceremonies, i.e. in silence. Especially those who were considered entirely deranged, mentally weak but religious and reputable in their lifetime, and those of the insane for whom the local community pleaded were allowed silent burials while the penalty of burial outside the churchyard was imposed especially in cases of borderline insanity. It is noteworthy that after 1692 the Svea Court of Appeal appears to have no longer applied the penalty of burial *outside* the churchyard for insane suicides.[130] The majority of the cases the Svea Court of Appeal considered to be obscure (*mörk sak*), in the sense that it was unclear whether the death had been a suicide or an accident, were fully acquitted: in other words, the deceased was allowed a Christian burial in hallowed ground with the usual ceremonies. Unfortunately, most of the information on the forms of punishments passed by the Turku Court of Appeal has not survived, but it was using burials both outside and inside the churchyard without ceremonies for insane suicides at least in the late 1660s, and disposals by burial carried out by the executioner already in the 1650s.[131]

Court of Appeal judgements, precedents and praxis at times influenced the judicature at the lower court level. In general, regardless of the above-mentioned demands to follow the letter of the law, the courts could be selective in choosing which one of the many legal sources—the medieval law, a statute or an ordinance, custom or precedent—they followed.[132] For example, the close proximity, collaboration, written and personal communication between the different courts of law in the same town influenced legal praxis; the Town Courts and other lower courts in Stockholm and Turku were influenced by each other as well as the nearby Svea and Turku Courts of Appeal, respectively.[133] Also, as mentioned in Chapter 4, since the mid-seventeenth century all the district judges were required to serve an apprenticeship at the Courts of Appeal, and after 1680 they presided over all the lower court sessions of their district. Thus, at least since the last decades of the seventeenth century, those responsible for determining the form of punishment, albeit ideally based on the law-book,[134] were well aware of the Court of Appeal penal forms.

The most common outcome in the lower courts was that the suicide was found to have been mentally sane (about 58%, here total $n=230$). There were two main forms of penalties passed by the lower courts intended for sane suicide: the executioner either burning or burying the suicide in the woods or somewhere else outside the usual burial site, the church or the churchyard. The lower courts sentenced the corpses to be taken to the woods and burnt there by the executioner, as the medieval law stipulated, in the majority of the cases (53% of the 135 cases sentenced as sane suicides). However, the lower courts widely abandoned the sentence of burning at the stake quite soon after 1700 when the precedent stipulated a dishonourable burial in the woods by the executioner for the sane; only a few cases from the first years of the 1700s include sentences for incineration while most sentenced the sane suicides for another disposal from 1700 onwards at the latest.[135]

The rest of the 'sane suicides' were sentenced to be buried by the executioner. This penalty became more common in the lower courts after the mid-1680s. Most were sentenced to be taken away and buried in the woods, but other locations were also in use for the disposal of bodies, usually also situated in woods, far from farmsteads and on the outskirts of the locality. In some localities sane suicides were buried at the place of execution (*galgplats*, *galgen*, *galgbacken*, *avrättningsplats*),[136] which also served as the disposal site for those who were executed.

Each town, jurisdictional district (*härad*) and many rural localities (*socken*) had their own place reserved for this, typically situated in the borderlands or backwoods. Like some of the remains of executed criminals, the corpses of suicides were probably thrown into shallow pits dug at or near the site.[137] It is likely that this was the fate of some of the bodies when the locus of the burial was not mentioned in the records, while others ended up in the woods.[138] At times swamps were specified as the locus of disposal; for example, in Hedemora in Kopparberg the lower court record even refers to a custom (*efter nu bruukelige sedwännen*) that the executioner first conveyed the corpse to the marsh, where he buried it, piercing it with a pole.[139] There were some local customs when it came to the specific locations of the disposal, and the burial rather than burning was at times a continuation of older local practices than an adoption of Court of Appeal examples.[140]

However, it is noteworthy that it was not until the 1690s that the lower courts more generally passed forms of punishments that differed from those stipulated in the law for sane suicides. Furthermore, as mentioned, burning at the stake was also in use at least until 1700 in the areas in focus here. Also, interestingly, most of the sentences of burial by the executioner were passed after the 1690s by the lower courts of Central Sweden. The material includes very few cases of sane suicides having been sentenced to be buried instead of being incinerated in the Finnish-speaking or eastern research areas before 1700.[141] This in itself suggests that the Svea Court of Appeal praxis began to influence the lower courts and the district judges of Central Sweden earlier than in the more remote east. It is possible that the lower courts and judges in the area that is now Finland and in the east were simply more conservative and reluctant to depart from the letter of the law in penal practices and willing to act in accordance with the law and guidelines, perhaps in fear of reprimand from the higher authorities and knowing that the Courts of Appeal would in any case revise the forms of punishments as they saw fit. In turn, the judges acting in the vicinity of and under the jurisdiction of Svea Court of Appeal in Central Sweden appear to have been more inclined to adopt its penal practices at an earlier stage. Although all judges received information on the final verdicts and forms of punishment, and in the latter half of the seventeenth century were educated at the Courts of Appeal, one can assume that those acting in the central areas were in general more in touch with the Courts of Appeal than those in the peripheral regions. As more suicides took place in the more

populous central areas, the district judges there were no doubt more aware of the changing penal practice at the Svea Court of Appeal.

However, even in most of the jurisdictional districts in Central Sweden sentences of incineration in the woods carried out by the executioner persisted among the range of penalties of the lower courts throughout the seventeenth century and even a few in the first years of the eighteenth century.[142] Usually both forms of punishment were in use in the seventeenth century and passed on an ad hoc basis. The choice between sentencing the remains to burn at the stake, as stipulated in the law, or to instruct the executioner to bury them did not depend solely on the personal knowledge of the judge in question and the possible adoption of the Svea Court of Appeal praxis but was also based on the reputation of the deceased, sane suicide. The lower courts usually sentenced sane suicides of bad repute, in particular the most notorious, to be burnt in the woods by the executioner while those having a good reputation but who were considered sane were relatively more often sentenced to be buried by the executioner.

The same discrepancy between the law and the forms of punishment imposed by the lower courts characterizes the sentences passed on 'insane' suicides ($n=79$). About two-thirds were sentenced to be buried outside the churchyard, as stated in the law, while a third was allowed interment in church grounds, with the record typically specifying that the interment was to take place in silence, i.e. without ceremonies and clergy. Most of the latter group are cases from the early eighteenth century. Again, the lower courts in Finland and the eastern areas continued almost without exception to follow the medieval law to the letter during the seventeenth century,[143] but some of the lower courts in Central Sweden applied these penalties in particular in the 1690s, and especially after the precedents of 1695. Nevertheless, the use of silent burials for insane suicides was highly casuistic and in no way judge- or lower court-specific. The use of burials outside the churchyard as penalties continued, although it dwindled at the turn of the eighteenth century. Before becoming the standard form of burial for insane suicides in the first years of the eighteenth century, silent burials appear to have been imposed on local people with kin and numerous witnesses pleading on their behalf. The choices between the specific forms of punishment imposed on the insane were influenced by the social status of the deceased, and in particular his or her religious practice. Although the numbers are small, it is noteworthy that none of those with a bad

reputation were given the punishment of a silent burial in the churchyard. Conversely, most were individuals praised for their merits, good reputation and piety or religious practice. Devout religious practice was often mentioned as the specific reason for this treatment, which can be categorized as the most lenient form of punishment imposed for suicide.[144] After all, even if the clergy was not present the bereaved could at least gather together and lay their next of kin or friend to rest in hallowed ground, which they could interpret to entail a possibility of salvation and eternal life.

A small number of cases ($n=15$) were left unpunished with the lower court unable to resolve the question of mental state or otherwise unwilling to reach a verdict and leaving the decision to the Court of Appeal. However, in all these cases the evidence of suicide was so overwhelming that the lower courts could not acquit the accused. At least eight of them involve local people of very good reputation. As already suggested, the lower courts'—at times very pronounced—reluctance to pronounce the verdict and penalty may have something to do with the need to accommodate the interests of the local communities, or at least their elites or the kin groups whose member was on trial. Similarly, the small sample of acquitted cases (many cases presented above) suggests that some of the juries chose to overlook incriminating and aggravating evidence especially in the cases of renowned, esteemed local community members and those of higher estates. The share of the reputable as well as the landholding peasants and their family members is significantly greater among the sample of the acquitted cases than among the sentenced.

It must be pointed out that it is possible that the lower courts at times formally and in name only quoted and referred to the forms of punishment stipulated in the medieval law, following the above-mentioned rules, while knowing that the execution of such sentences would in any case be different. Going by the book was the general practice in sentencing crimes even though the praxis in the Courts of Appeal had changed.[145] Perhaps, at least in some regions, the corpses of sane suicides had long been buried rather than burnt by the executioners, for practical reasons, for example rain, frost and the lack of firewood. It is also probable that local communities were accustomed to interring the corpses of insane suicides *inside* the churchyard: this was allowed by the stipulations in the Church Ordinance of 1571, in force at least until 1684. The decisions of the ecclesiastical chapters show that silent burials on the outskirts and northern sides of churchyards had been made for long.[146]

On the other hand, for example, the Finnish translations of the law in use during the seventeenth century ordered the burial locus clearly outside the churchyard,[147] specifying that the burial site was outside, on the other side of the churchyard fence. It can be assumed that these spots were in use for the insane suicides, although information about carrying out the interments has not been preserved. There are indications that the Sámi, an indigenous people in the northern parts of the realm, had their own customs for burying suicides in the woods,[148] and as mentioned in Chapter 2, woods and marshes were in use also by the local people in eastern Finland and Kexholm. Altogether, it is possible that the Courts of Appeal adopted and passed forms of punishment that had been in use in practice throughout the seventeenth century, and that the lower courts and judges were well aware of this, but most still faithfully and nominally followed the obsolete law when passing sentences.

The increasing sentencing to burials by the executioners for sane suicides and silent interments in the churchyard for the insane, both in the lower court and Court of Appeal levels, might be interpreted as a sign of (at least official and legal) attitudes towards suicide becoming more lenient. Some no longer considered that suicide was the kind of terrible act that required utter destruction of the remains by fire, or mandatory exclusion from hallowed ground. As mentioned in Chapter 2, there were different opinions on the gravity and heinousness of suicide alongside the harsh mainstream attitudes. The lawyers drafting new laws and making decisions and precedents at the Courts of Appeal certainly showed increased willingness to recommend more lenient treatment than that stipulated in the medieval law. On the other hand, as some of the lower courts began to impose these relatively more lenient penalties, most did not, even in the last years of the seventeenth century. Moreover, even attempted suicides began to be punished by a heavy fine and ecclesiastical penalties. The argumentation or condemnation of the act itself in the lower court records shows no general temporal changes, although, as mentioned in Chapter 4, insanity classifications slightly increased. The burial of those insane in the church grounds may be interpreted as a sign of the notions of the criminal responsibility of the insane having changed rather than the attitudes towards the act of self-killing itself. Suicides of the mentally deranged and weak became to be viewed and portrayed more as accidents that did not merit as shameful punishment as before. The new law, the Code of 1734, continued to include the stipulations on

suicide among those of the most serious offences, although adopting the aforementioned penalties that had become legal praxis by then.

It appears that the lower courts started to follow the penalties of the Court of Appeal precedents more systematically in the early eighteenth century, abandoning burning at the stake and burials outside the churchyard.[149] Nevertheless, the long-lasting range of punishments passed for suicide, from burning at the stake to burials in woods, by the gallows and in marshes to interments carried out by the kin and families somewhere outside or silently inside the churchyards, shows that the treatment of suicides' corpses and remains was diverse. The punishments differed first and foremost according to the suicide's mental state—the executioner dealing with the remains of the sane, and the bereaved and other local people (but not the clergy) handling the corpses of the insane. However, even the suicide's character, in particular reputation and social ties, influenced the choice. The variation in punishments manifests the contemporary understandings of different types of suicides and different degrees of criminal culpability and moral responsibility in committing such an act. The ways the suicides were sentenced and described in the lower court records show that there were penalties of varying severity that reflect the perceived gravity of different types of suicides. Even in the Svea Court of Appeal only the 'worst' suicides received the harshest punishment—burning of their corpses in the woods—while most sane individuals were buried by the executioner. The temporarily or borderline insane were still at times sentenced to be buried outside the churchyard at least until 1692,[150] while earlier primarily those whom the Court of Appeal considered clearly and totally insane and/or particularly religious and reputable and whose relatives and local communities pled for leniency were allowed the less severe penalty of burial inside the churchyard without ceremonies.[151]

A certain degree of selectivity characterized the lower court sentencing and the behaviour of the jury. To give a few examples, Karin Mickelsdotter, the quarrelsome widow who had repeatedly slandered and maltreated her mother and whose case was described earlier as an example of a 'monstrous' suicide, was given the severest punishment of the executioner burning her corpse at the stake—both by the lower court in Tuna and later by the Svea Court of Appeal.[152] Some months later, in neighbouring Mora in Kopparberg, the same judge dealt with the case of Hans Larsson, a highly reputable and pious 90-year-old retired peasant master, who had hanged himself after complaining about living too long

and having done something for which God would not forgive him, for which he would be imprisoned. It was mentioned that people grieved his unfortunate demise. Though considered sane, like Karin, the lower court concluded that the law spoke of the executioner but pleaded for the Court of Appeal to allow burial of some kind, which the Svea Court of Appeal soon permitted in some remote part of the churchyard, emphasizing his high age and honourable life.[153] About a week later the judge rushed to nearby Husby for an extraordinary court session concerning the hanging of Margareta Matzdotter, an unmarried maidservant who had been grieving over her parents' recent death and repeatedly crying and bemoaning her difficult times. Since she had been sane, the lower court sentenced her corpse to be burnt in the woods like that of Karin. However, the Svea Court of Appeal, taking into account testimonies of her good behaviour and religious practice, sentenced her, unlike Karin, to be buried by the executioner at the local place of execution.[154] How could suicides committed by such different characters under such different circumstances be comparable and subject to the same punishment? Two forms of penalty were simply not enough to cater for all the circumstances of the suicides or the local needs and interests.

Notes

1. See Introduction. For example, the sample of suspected but acquitted suicide cases offers comparison material on how the social position influenced the classifications made in the trials.
2. See, for example, H. Andersson (1998, 27, 35–36), G. Andersson (1998), Pylkkänen (2009, 37–42).
3. Lidman (2013, esp. 395, 402–3, 413), Koskivirta (2001, 16), Pylkkänen (2009, 19, 37–39, 50, 53, 57).
4. King Christopher's Law 1422 (henceforth KRLL 1442), for example, Section on wilful manslaughter, esp. Cap. 26, 28–29, 31–32, 35–37, Felony Section, Cap. 10; Section of accidental manslaughter, Cap. 11–12. The Swedish medieval laws consistently stipulated different methods of execution for men and women (Ekholst 2014). See also Lennartsson (2013, 77, 92), Pylkkänen (2009, 37). However, the Swedish law no longer stipulated different forms of punishment based on the perpetrator's or the victim's ethnicity or place of birth (Lamberg 2013, 425; Lennartsson 2013, 77).
5. Lennartsson (2013, 92). According to the letter of the law, only the insane were exempt from punishments for certain crimes (KRLL

1442, Section of accidental manslaughter, Cap. 15) and under 7-year-olds from compensating for the wounds they had caused (ibid., Cap. 12). On the criminal liability of minors in early modern Sweden, see Mispelaere (2009).

6. Instructions to judges from 1545 in Petri (1545, esp. Cap. 21), Lennartsson (2013, 92).
7. Selective sentencing for crimes based on the perpetrator's socio-economic standing in the lower courts of four rural localities and towns in Östergötland and Västernorrland (Sundin 1992, esp. 137–52, 156–57, 161–62, 477; 1986, 55). Crimes of rape treated and sentenced differently depending on the positions of the perpetrator and the victim, see K.H. Jansson (2002, esp. 319–26, 333). In cases of theft in Turku in the 1640s, those considered insiders and more tied to the community were treated and sentenced differently than perceived outsiders (Laitinen 2012, 2013). On the greater likelihood of accused from 'the underclass' of early seventeenth-century Stockholm to be sentenced for their crimes, see H. Andersson (1998, 36, 47–49). Especially landless and idle people were typically treated and punished more harshly (Kotkas 2013, 108; Laitinen 2013; Lennartsson 2013; Sundin 1992, 156–57, 161–62, 477).
8. As argued by Arne Jarrick (1997, 199–201) based on 35 suicide cases from Västergötland between 1634 and 1821. Jarrick has defined peasants and clergy as occupying 'a high social position' and the rest as having a low social position. Also discussed by Bodil E.B. Persson (1998, 197–200), who has noted a similar tendency in the sentencing practices concerning drownings ($n=41$) in the lower courts in Scania in southern Sweden between 1704 and 1718.
9. See also MacDonald and Murphy (1990, 259–60, 298–300).
10. Similar male predominance has been located in other samples and in various other parts of early modern Europe. For example, in the suspected suicide cases sentenced in the Göta Court of Appeal in southern Sweden between 1695 and 1718 ($n=566$) over 61% were men (Werner 1998, 51–52, 60, 73). Over two thirds were men in a small sample ($n=37$) of cases from Västergötland (Jarrick 1997, 199–201). Also, male predominance, for example, in early modern England (about two thirds): MacDonald and Murphy (1990, 247–48), in Scotland between 1550 and 1764 (76% of the escheated suicides): Houston (2010, 83). In the duchies of Schleswig and Holstein and in Zurich (69 and 75%): Lind (1999, 190–91, 202). In early modern Geneva (68%): Watt (2001, 33–35). In eighteenth-century Paris (77%): Merrick (1989).
11. Also apparent in Werner's sample (Werner 1998, 56–57). For similarly gendered suicide methods elsewhere in early modern Europe, see

Lind (1999, 325–31), MacDonald and Murphy (1990, 247–48), Watt (2001, 33–53, esp. 34). See also Kushner (1985, 543–51), Ohlander (1986, 31–32). The Church burial registers in Scania, in southern Sweden, show that between 1704 and 1718 over 80% of the drowned ($n=124$) had been men, most of which were considered outright to be accidental drownings. Only 41 drownings (of 22 women and 19 men) were investigated in the lower courts. Of these, 13 women and 10 men were classified as suicides in the lower courts (Persson 1998, 134, 197–99).

12. For ideas about the nature of woman in early modern Europe, see, for example, Fairchilds (2007, 9–31), Maclean (1980, esp. 30–32, 89), Stadin (2004).
13. Jarrick (1993), Watt (1996). Also in the modern understanding of suicides, see Maris et al. (2000, 153), Watt (2004, 143).
14. The death of a family member and/or the grief caused by the loss directly connected to the suicide by witnesses and/or the lower courts, for example: Provincial Archives of Uppsala (ULA): Kopparbergs läns häradsrättsarkiv (KLHA) Serie III A I: 8, 74v–5v, Husby 6 September 1664 and AI: 10, 93v–4v, Kopparberg gruve 25 August 1666; ULA: KLHA Serie X, A I: 2, 84–85, Stora Kopparberg 2 October 1691 and A I: 5, 70–70v, Skedvi 4 July 1695 and A I: 9, 184–88, Tuna 4 July 1699; National Archives of Sweden (RA): Svea Hovrätts arkiv, domböcker (SHA) Kopparberg (K) 30a: 560–62, Sundborn 22 May 1694; Wättle 29 July 1720 in Bergstrand (1976, 44–46). Loss of a relative was also more often referred to in the trials concerning female suicides in eighteenth-century Stockholm (Jarrick 2000b, 304).
15. Emphasis on marital and love problems, for example: National Archives of Finland (KA): Collection of lower court records, (*renoverade domböcker*, RT) Kymenkartano län KO a 3: 287–90, Lappee 12–14 January 1680; ULA: Örebro länsstyrelsens arkiv, Landskansliet. D I qa: 3, Axebärg 8 November 1684; RA: SHA Stockholms län (S) 4b: 599–601v, Öregrund 18 June 1686; KA: RT Masku & Vehmaa KO a 3: 172–76, Vehmaa 11 August 1688; RA: SHA Upplands län (U) 53b: 556v–61v, Lagunda 20 November 1691; ULA: Västmanlands länsstyrelsens arkiv, Landskansliet (VMLL) D I: 31, Åkerbo 1 August 1695; KA: RT Kexholm KO a 20: 122v–7v, Sakkola, Rautu & Pyhäjärvi 14 August 1699. Nevertheless, love problems were also emphasized for many men, for example, ULA: KLHA Serie III, A I: 9, 29–31v, Tuna 30–31 May 1665; ULA: Västmanlands läns domstolarkiv, Köping rr A I: 6, 28–31, Köping 18 February 1685; ULA: KLHA Serie IV, A I: 6, 35–35v, Bjursås 5 July 1693; KA: RT Vehmaa & Ala-Satakunta (VA) II KO a 7: 210–20, Ulvila 12 September 1696.

16. Poverty and troubles related to sustenance or debts are also mentioned in other samples of suicides in early modern Sweden (Jarrick 2000b, 304, 307; Werner 1998, 61–63).
17. For example, ULA: KLHA Serie III A I: 15, 105–5v, Skedvi 25 September 1672; KA: RT Jääski, Lappee, Ranta & Äyräpää (JLRÄ) KO a 13: 363–73, Vyborg 22 May 1673; RA: SHA Västerås 3: 695–96, Sala 14 May 1687; ULA: Lindesbergs rådhusrätts arkiv A I: 9, Lindesberg 2 August–3 September 1688; KA: RT Kexholm KO a 10: 6v–8, Rautu, Sakkola & Pyhäjärvi 22–26 January 1689; ULA: Faluns rådhusrätts arkiv A Ia: 18, n.p. Falun 14/15 April 1697; ULA: KLHA Serie IV, A I: 8, 83v–4v, Leksand 19 April 1698; RA: SHA Västernorrlands län (VN) 15a: 208v–9, Själevad 14 May 1698; RA: SHA VN 22: 1669–71, Sunne 16 November 1704; Ås 27 July 1716 in Bergstrand (1976, 42–43).
18. For example, KA: RT JLRÄ KO a 6: 54–57, Ruokolahti 13–14 June 1664; RA: SHA VN 3a: 164v–7, Sollefteå 5–6 July 1682; ULA: KLHA Serie X, A I: 5, 70–70v, Skedvi 4 July 1695.
19. Satisfactory livelihood or no troubles in sustenance specifically mentioned, for example, in ULA: VMLL D I: 27, Sala 9 September 1691; ULA: Uppsala länsstyrelses arkiv, Landskansliet D II d: 36, Frötuna 8 March 1695; RA: SHA Jämtlands län 47b: 974v–7, Sveg 27 August 1696; RA: SHA Kopparberg (K) 36a: 449v–56v, Grytnäs 27 May 1697; Sundal 4 September 1707 in Sjödahl and Edestam (1995, 84).
20. The majority of the poor were women for women faced a greater risk of falling into poverty due to widowhood, longer life expectancy and more limited economic opportunities (Taussi Sjöberg 1994, 68–70).
21. Worry over sustenance was understood as an important cause of suicide, especially among men, also in the suicide cases that came to the Göta Court of Appeal between 1695 and 1719 (Werner 1998, 62–63). Tasks of the household master and masculine roles in early modern Sweden, see, for example, Jokiaho (2002), Stadin (2004). Economic troubles were interpreted as fairly common causes and motives for the suicides of men who had families and dependants also in early modern Geneva. As women's professional and economic opportunities and expectations in general were lower, they were less likely to be disappointed in the face of economic reversals or to lose face in the community due to economic failures and poverty. The male suicides that took place in such settings could be connected to the men's fear of losing face because of failure to support their households, i.e. their failure to fit the masculine role of the principal breadwinner (Watt 2001, esp. 158–68, 246–48; 2004, 143–46).
22. Clearly understood as a motive: e.g. KA: RT VA KO a 7: 414–17, Eura 17–18 October 1664 (adultery) and KO a 4: 406–9v, Kokemäki

16 July 1675 (theft) and VA II KO a 7: 210–20, Ulvila 12 September 1696 (adultery); ULA: KLHA Serie III, A I: 9, 29–31v, Tuna 30–31 May 1665 (premarital relations) and Serie VII, A I: 2, n.p. Hedemora 8 August 1698 (two male suicides: theft and incest); KA: RT Northern Ostrobothnia (NO) KO a 12: 719v–23, Kokkola 8 July 1671 (rape) and KO a 24: 46–8v, Oulu 30 March 1680 (female: magic and witchcraft) and KO a 7: 256–59, Kalajoki 12 March 1687 (murders); ULA: Trögds häradsrätts arkiv, A I: 1: 219v–20v, Trögd 14 July 1684 (theft); Ås 17 June 1710 in Bergstrand (1976, 23–26) (theft). Also, for example RA: Riksarkivets ämnesamlingar Juridika I: Becchius-Palmcrantz samlingar (BP), Vol. 5, 10–11, Läder 1689 and 17–18 and 25, unknown locations 1684; KA: RT Helsinki (kämnärsrätt) g 109: 73–77, Helsinki 27 June 1701. Based on other material, accusations of witchcraft and suicides by women were at times connected: for example, two women in prison in Marstrand during their witchcraft trials, with at least one tortured (excluded from the main sample as their suicides were only briefly mentioned): 4 July and 22 September 1669 in Svenungsson 1970, 27, 154, 328. A woman mentioned to have killed herself after her two sisters were imprisoned for witchcraft: Landsarkivet i Härnösand (HLA): Gävleborgs länsstyrelses arkiv, Landskansliet DIIa: 5, 580, Arbrå 14 October 1672.

23. Jarrick (2000a, esp. 182–94, 2000b, esp. 311–28), Werner (1998, 66), MacDonald and Murphy (1990, esp. 274–89), Watt (2001, esp. 166–68). For connections between committing crimes, losing honour and suicide in nineteenth-century Finland, see Nygård (1994, 97–101). The importance of honour and having a good reputation, and crimes damaging honour, in early modern communities, see, for example, Hoffmann (2004, 320–21), Jokiaho (2002), Lidman (2013), Lindstedt Cronberg (1997, 208–12), Villstrand (2011, 492–94). The importance of reputation and honour can be traced, for example, in the suicide of Maria Andersdotter who was plagued by beliefs that her husband's thieving had stigmatized herself and her children and ended up hanging herself. RA: SHA U 53b: 556v–61v, Lagunda 20 November 1691.
24. For example, KA: RT Kexholm KO a 4: 812v–14, Pälkjärvi 14–15 September 1680; KA: RT Kymenkartano & Lappee KO a 1: 10–11, Kymi & Vehkalahti 12–14 February 1681; KA: RT Ala-Satakunta II KO a 1: 131–34, Eura 19 July 1682; RA: SHA VN 7a: 445–6v, Gudmundrå 30 January 1686; ULA: Örebro länsstyrelse: Landskansliet. D I qa: 3, Fållensbro 14 May 1687; ULA: KLHA Serie X, A I: 1, 109–9v, Tuna 23 September 1689 and A I: 7, 206–8, Tuna 19 October 1697; RA: SHA U 51: 519–20, Trögd 22–27 September 1690; ULA: Västmanlands läns domstolsarkiv A III: 1: n.p., Björkskog 12 January 1692; KA: RT NO

KO a 13: 91–94, Sotkamo 10 August 1692; RA: SHA G 39b: 594–600, Härnosand 22 October 1692; ULA: Uppsala länsstyrelsens arkiv, Landskansliet D II d: 43, Danderyd 22 February 1697.

25. For example, ULA: KLHA Serie IV AI: 2, 7v–9, Mora 26 August 1664 and Serie VII, A I: 2, n.p. Hedemora 8 August 1698; KA: RT JLRÄ KO a 15: 324v–5, Äyräpää 25–27 February 1675; RA: SHA VN 3a: 164v–7, Sollefteå 5–6 July 1682 and 4a: 218–20, Nordingrå 12 July 1683 and 7a: 452–2v, Anundsjö 10 February 1686; ULA: Uppsala länsstyrelses arkiv, Landskansliet D II d: 7, Svartlösa 16 June 1684; RA: SHA U 49b: 919v–22v, Närdinghundra 14 July 1689; RA: SHA Gävleborgs län (G) 45a: 80v–2v, Forsa, Idenor, Hög, Rogsta, Illsbo och Tuna n.d. 1695.
26. KA: RT JLRÄ KO a 3: 33–37, Jääski 10–12 February 1660; KA: RT Turku RO a 33: 427–31, Turku 15 August 1664; ULA: KLHA Serie III, A I: 9, 29–31v, Tuna 30–31 May 1665; KA: RT Barony of Kajaani KO a 2: 110–12, Sotkamo 8 April 1680; KA: RT Kexholm KO a 4: 357–59, Rautu 31 July 1682; KA: RT Jääski, Ranta & Äyräpää (JRÄ) II KO a 3: 419–22, Äyräpää 11 May 1685; ULA: Västmanlands läns domstolarkiv, Köping A I: 6, 28–31, Köping 18 February 1685; ULA: Örebro länsstyrelsens arkiv, Landskansliet D I qa: 3, Örebro 22 June 1687; RA: SHA Västmanlands län (VM) 33: 101v–2v, Ulvesund 4–6 February 1689; HLA: Gävleborgs länsstyrelses arkiv, Landskansliet DIIa 14: n.p. Ljusdal 19 May 1712. Alcohol also as a factor especially among the male suicides investigated in the Göta Court of Appeal between 1695 and 1718, see Werner (1998, 67).
27. Only four of the sentenced suicides, all hanged boys, in the material were minors, i.e. below the age of 15. Although three of the cases were discussed as grievous misfortunes ascribed to childish error and weakness, only two were deemed to have been insane suicides as their minority was equated with insanity, while two were punished as sane suicides in the lower courts. A 13-year old boy: Lecköö 18 January 1648 presented in Liedgren 1982; a 10-year-old boy: KA: RT Kexholm KO a 10: 6v–8, Rautu, Sakkola & Pyhäjärvi 22–26 January 1689; an 11-year-old boy: ULA: VMLL D I: 31, Åkerbo 28 August 1695; a 14-year-old boy: RA: SHA U 66: 958v–9, Håbo 11 June 1700. However, there are indications of a tendency to classify probable, even clear suicides of minors as accidental in the trials. For example, KA: RT JLRÄ KO a 5: 289–91v, Äyräpää 10–12 November 1663; ULA: Trögds häradsrätts arkiv A I: 2, 101–4v, Trögd 21–27 February 1694; ULA: Uppsala länsstyrelsens arkiv, Landskansliet D IId: 40, Tierp 10 September 1696; RA: SHA VM 42b: 595v–8, Västerås 9 July 1698; RA: Riksarkivets ämnesamlingar Juridika I: BP, Vol. 5, 55. See also Ketola (1989, 44–45). As mentioned in Chapter 2, legal scholars and at least the Svea Court of Appeal

promulgated leniency for minors, with a clear precedent from 1695 stating that the suicide chapter in the law should not be applied to minors. See also Mispelaere (2009).

28. With their good reputation and way of life, religious practice and personality especially commended by the witnesses. E.g. ULA: KLHA Serie III A I: 5, 3–3v, Vika 29 April 1661, Serie IV AI: 2, 7v–9, Mora 26 August 1664 and Serie X, A I: 1, 109–9v, Tuna 23 September 1689; RA: SHA VN 4a: 218–20, Nordingrå 12 July 1683 and 12b: 746–54, Nätra 12 May 1690; RA: SHA K 30a: 560–62, Sundborn 22 May 1694; ULA: Grimstens häradsrätts arkiv A I: 2, n.p., Grimsten 27 February 1695; ULA: KLHA Serie X, A I: 5, 70–70v, Skedvi 4 July 1695; RA: SHA U 61a: 674v–5v, Lagunda 8 April 1697; KA: RT NO KO a 21: 1077–84, Liminka 12 June 1700. The elderly among the cases of suspected but acquitted suicides were also typically praised: e.g. ULA: Kopparbergs länstyrelsens arkiv, Landskansliet (KLA) D II: 15: Vika 19 May 1690; ULA: KLHA Serie X A I: 2, 74–76v, Torsång 16 July 1691; RA: SHA VN 16: 206–7v, Tuna 7 May 1699.
29. Vilkuna (2010, 57–58).
30. ULA: KLA D II: 15, Vika 19 May 1690; ULA: KLHA Serie X A I: 2, 74–76v, Torsång 16 July 1691; RA: SHA VM 41a, 417–19, Åkerbo 8 February 1697; RA: SHA VN 16: 206–7v, Tuna 7 May 1699. Cf. very similar drownings of the elderly sentenced as suicides: ULA: KLHA Serie IV, A I: 5, 3–4v, Mora 1 June 1688; RA: SHA Jämtlands län 47b: 974v–977, Sveg 27 August 1696. Various suspicious and unnatural deaths of the elderly that bear similarities to cases sentenced as suicides in the lower courts are mentioned in the Church burial registers, simply having been buried by the Church. For example, *Historiakirjat:* Church burial register of Lappajärvi parish, 6 January 1695 (an insane elderly and impoverished woman having run into the woods and frozen to death). However, there are no signs of suicides of the elderly having been more likely categorized as accidents in the Göta Court of Appeal between 1695 and 1718 (Werner 1998, 60, 70).
31. About 15% of the sentenced, while their share among the adult population can be estimated to have been around 10%. Also, other samples of early modern Sweden show relatively high shares of the elderly among suicides. Odén (1999, 177) (20%, total $n=60$) and Werner (1998, 51–52) (14% of cases investigated in the Göta Court of Appeal in southern Sweden between 1695 and 1718, total $n=566$). Similarly, in early modern England the elderly are well represented among suicides (18%, total $n=1001$) (MacDonald and Murphy 1990, 250–51, 256–58).
32. Behre et al. (1985, 73).
33. Karonen (1998, 225), Tamm et al. (2000, 51).

34. ULA: Uppsala länsstyrelses arkiv, Landskansliet D II d: 7, Semminghundra 17 September 1684 (nobleman Charles Alexander de Chattillon) and Viste 1721 in Bergstrand (1976, 47–48) (former lieutenant, Gustaf Adolf Frölich).
35. KA: RT Savo KO a 2, 740–45, Rantasalmi 17 June 1648 (vicar's wife); RA: SHA K 30a: 560–62, Sundborn 22 May 1694 (vicar's widow); Odensåker 8 July 1714 in Bergstrand (1976, 27–32) (vicar). Also, a suicide committed by a former curate's widow is mentioned in the records of the ecclesiastical chapter of Uppsala, but the case was never referred to the secular courts. ULA: Uppsala domkapitels arkiv, protokoll A I: 4, Fröstult 7 January 1654.
36. Vadstena 1604 presented in detail in Sandén (2014, 25–55); ULA: Västmanlands läns domstolarkiv, Köping A I: 6, 28–31, Köping 18 February 1685; RA: SHA S 4b: 599–601v, Öregrund 18 June 1686; ULA: Lindesbergs rådhusrätts arkiv A I: 9, n.p. Lindesberg 2 August–3 September 1688. Also, a case from Gothenburg involving burgher Friedrich Crantz's suicide was sentenced in 1691, but the lower court investigation and sentence has not been located. The case was merely mentioned in the collection of cases in Becchius Palmcrantz' samlingar (BP) as his widow had appealed to the King for a more lenient sentence. It is mentioned that the members of the Town Court and local clergy had brought forward various mitigating circumstances, and the King allowed him a Christian burial due to his claimed mental weakness and Christian life. RA: Riksarkivets ämnesamlingar Juridika I: BP, Vol. 5, 59–60: Gothenburg 1691.
37. RA: SHA K 23a: 314v–23, Hedemora 18–20 July 1687 (burgher Anders Rusbonius); RA: SHA B III b 1: 2, 262–3v, Kriminella resolutioner (Stockholm) 27 August 1695 (*jungfru* Margareta Nyman); RA: SHA B III b 1: 2, 264–67, Kriminella resolutioner (Stockholm) 29 August 1695 (notary of the Chamber collegium, Petter Thorin).
38. Stadin (2004, esp. 166–210). See also Lidman (2013, 395), Lindstedt Cronberg (2013).
39. MacDonald and Murphy (1990, esp. 127–29, 250), Minois (1999, 142–47). See also Andrew (2013, esp. Chapter 3), Signori (1994).
40. MacDonald and Murphy (1990, 127–28, 250).
41. Lidman (2013, 395, 402–3, 413), Stadin (2004, 107, 128, 166, 184–85).
42. Also pointed out by MacDonald and Murphy (1990, 128–29).
43. Aalto (1996, 162–72), Karonen (1998, 225).
44. MacDonald and Murphy (1990, 129), Minois (1999, 143–44). Cf. Non-preferential treatment of suicides of higher estates based on the penalties passed in early modern Bavaria (Lederer 2006, 253).

45. For example, the deceased praised and pitied and mental weakness and mitigation, even a Christian burial, pleaded: KA: RT Savo KO a 2, 740–45, Rantasalmi 17 June 1648 (vicar's wife); ULA: Uppsala länsstyrelses arkiv, Landskansliet D II d: 7, Semminghundra 17 September 1684 (nobleman de Chattillon); RA: SHA S 4b: 599–601v, Öregrund 18 June 1686; RA: SHA K 23a: 314v–23, Hedemora 18–20 July 1687 (burgher, acquitted); RA: SHA K 30a: 560–62, Sundborn 22 May 1694 (vicar's widow); RA: SHA B III b 1: 2, 262–3v, Kriminella resolutioner (Stockholm) 27 August 1695 (*jungfru* Margareta Nyman, acquitted); RA: SHA B III b 1: 2, 264–67, Kriminella resolutioner (Stockholm) 29 August 1695 (notary of the Chamber collegium, acquitted); Odensåker 8 July 1714 in Bergstrand (1976, 27–32) (vicar, physical disabilities and mental weakness, character and Christian life described and emphasized by various witnesses, including the bishop and the dean). Also clear reluctance to sentence as suicide: Vadstena 1604 presented in detail in Sandén (2014, 25–55) and RA: Riksarkivets ämnesamlingar Juridika I: BP, Vol. 5, 59–60: Gothenburg 1691. Responsibility laid on others, for example: KA: RT Savo KO a 2, 740–45, Rantasalmi 17 June 1648 (many pleading mental weakness of a vicar's wife, and partial responsibility was investigated as she had had disagreements with her stepdaughter's husband, also her husband the vicar and the entire populace in the trial plead for permission to bury her inside the churchyard in the northern side and in silence); RA: SHA S 4b: 599–601v, Öregrund 18 June 1686 (a trader's wife, insanity plead, blame laid on her absent husband and her motherhood of young children emphasized, but the lower court sentenced her as a sane suicide as it was thought that she had acted under the devil's instigation); ULA: Lindesbergs rådhusrätts arkiv A I: 9, Lindesberg 2 August–3 September 1688 (a spectacular suicide by sword and fire by an alderman who had a very high reputation, blame laid on his son who had caused his indebtedness).
46. At least about 58% of the sentenced (here, total $n = 198$, including cases in which the estate of the sentenced is mentioned or can be deduced, excluding Becchius-Palmcrantz samlingar). Though the estates of the rural population are very difficult to determine, it has been estimated that, with significant regional and temporal variation, 25–50% were landless, of whom most were living on other people's estates either for rent, for work or on charity. The majority of these people who were various types of lodgers and boarders, crofters or working as servants were most likely of no estate (Miettinen and Viitaniemi 2018a, 22–28; Wilmi 2003, 232–38). In towns, the majority of the population were of no estate; most belonged to the very heterogeneous groups of servants or labourers or were soldiers or sailors (Karonen 2008, 172).

47. Here, total $n=198$. Classified by who were titled 'peasant'/*bonde* and their kin residing in a peasant household. All other groups in the countryside, such as crofters, soldiers, artisans, cottagers or cotters and those described as hirelings unrelated to the household have been excluded from this group, although it is possible that some of the rural workers, especially the farmhands and maidservants, were children of other peasants residing elsewhere. The cases for which the information is too scarce to determine the estate position are excluded.
48. About 51% of the peasants and about 61% of those of no estate were sentenced as sane suicides. Here, total $n=198$ including the cases in which the lower courts were unable to determine the sentence (or information has not been preserved): six cases concerning peasants and nine cases concerning the landless of no estate.
49. As argued by Arne Jarrick (1997, 199–201) based on 35 suicide cases from Västergötland between 1634 and 1821. Jarrick has defined peasants and clergy as occupying 'a high social position' and those who did not have an estate position as having a low social position. Also discussed briefly by Bodil E.B. Persson (1998, 197–200), who has noted a similar tendency in the sentencing practices concerning drownings ($n=41$) in the lower courts in Scania between 1704 and 1718.
50. Behre et al. (1985, 125–31), Karonen (2008, 168, 170–72), Stadin (2004, 265–68, passim).
51. H. Andersson (1998, 27, 35–36), Toivo (2008, 5–7).
52. For example, on the ideals of a hard-working peasant, see Stadin (2004, 265–95).
53. Both in medieval and in early modern England over half of the suicides were poor or destitute. See MacDonald and Murphy (1990, 26–27, 266–74), Murray (1998, 386ff). In Genova, see Watt (2001, 153, 166–68).
54. Jeffrey R. Watt connects poverty and financial reversals indirectly to suicide; the poor are overrepresented among the suicides in early modern Geneva because the poor were more likely to commit theft and other crimes that resulted in their falling into social exclusion that increased the suicide risk. See Watt (2001, esp. 166–68).
55. For example, only a few means of livelihood, namely disreputable professions such as those of an executioner and his aids, acquiring one's living by larceny or prostitution or by illicit or obtrusive begging, could in themselves place the person at the bottom of the local social hierarchy (Andersson 1998, 156–61; Jarrick and Söderberg 1998, 56–57; Levander 1975, esp. 216–22; Laitinen 2013, 556–57).
56. See also Andersson G. (1998, 31–33, 291).
57. Douglas (1967, esp. 209, 212–15).

58. Clear favourable influence of the social ties of the accused and his or her family in how the case was treated and discussed in the trial, for example in RA: SHA G 27a: 436–41, Järvsjö 21 July 1679 (former scribe and lay member of the court) and 45a: 80v–2v, Forsa, Idenor et al. n.d. 1695 (member of a well-connected peasant family, alongside the father-in-law, numerous neighbours, locals and the pastor pleading in the case); RA: SHA K 23b: 892–99, Husby 14 February 1687 (member of a large, well-connected peasant family) and 30a: 560–62, Sundborn 22 May 1694 (the vicar's widow); RA: SHA U, 48a: 437v–42v, Ulleråkers 17 May 1688 (son-in-law of a district judge) and 53b: 556v–61v, Lagunda 20 November 1691 (sister of the rural constable); ULA: KLHA Serie X, A I: 2, 84–85, Stora Kopparberg 2 October 1691 (family pleading insanity, and lower court complying regardless of clear evidence of premeditation); ULA: Grimstens häradsrätts arkiv A I: 2, n.p., Grimsten 27 February 1695 (the suicide of a former district judge); ULA: Faluns rådhusrätts arkiv A Ia: 18, n.p. Falun 14/15 April 1697 (a local peasant involved in iron production, very good ties and many friends pleading for his case). Also, numerous acquitted suicide cases.
59. In the modern world, see for example Maris et al. (2000, 240–53). Also connected to suicidality in early modern Europe, see for example, A. Jansson (1998, esp. 42–44), Watt (2001, esp. 166–68).
60. For example, imprisoned or on the run: 4 July and 22 September 1669 in Svenungsson 1970, 27, 154, 328; KA: RT VA KO a 4: 406–9v, Kokemäki 16 July 1675; KA: RT NO KO a 12: 719v–23, Kokkola 8 July 1671 and KO a 7: 256–59, Kalajoki 12 March 1687; ULA: KLHA Serie VII, A I: 2, n.p. Hedemora 8 August 1698; RA: SHA Jämtlands län 3b: 883–86, Offerdal & Rödön 21 July 1700; KA: RT Helsinki (kämnärsrätt) g 109: 73–77, Helsinki 27 June 1701. Isolation and loneliness connected to the suicide by the witnesses and bemoaned by the deceased themselves, for example, by two women isolated and shunned due to presumed contagious illnesses: KA: RT Ostrobothnia KO a 15: 35–, Carlborg & Lapua 4 June 1668 and RA: SHA G 39b: 594v–600, Härnosand 22 October 1692.
61. For example, Dinges (2004, 168–69), Kotkas (2013, 107–8), Laitinen (2013, 555–56), Lennartsson (2013), Lidman (2013, 403, 411), Sundin (1992, 156–57, 161–62). On penalties for suicides having been harsher for those on the margins of the community in early modern Bavaria, see Lederer (2006, 253).
62. I.e. birthplace and kin residing in another locality, passing through or having recently moved to the locality of their death. Unsurprisingly, all these 'strangers' or newcomers were landless, and nearly all were hirelings, soldiers or dependants. The rare cases that ended up with the

more lenient sentence as an insane suicide include an exceptional case of a soldier's widow who had gone to another locality to drown herself and was sentenced there, but her son, the dean and many friends in Falun wrote to the lower court of Tuna, pleading insanity and praising her character. ULA: KLHA Serie X A I: 9, 184–88, Tuna 4 July 1699. The scribes typically recorded the domiciles of the accused or mentioned whether the accused was from another locality and simply visiting or passing through or whether the person had been born elsewhere and had more or less recently moved from another locality. Also, the residence can at times be deduced based on other details, e.g. mentions of parents or spouses living in another locality.

63. Lindström and Mispelaere (2011), Miettinen and Viitaniemi (2018b, passim), Stadin (2004, 291–93).
64. See also, for example, Eilola (2002, 2003).
65. For example, very bad local relationships influencing the witnessing: KA: RT JLRÄ KO a 3: 33–37, Jääski 10–12 February 1660 and KO a 15: 324v–25, Äyräpää 25–27 February 1675; ULA: KLHA Serie III A I: 8, 6–7, Tuna 23 March 1664 and A I: 1, 309–16, Garpenberg 20 December 1690; KA: RT Turku RO a 33: 427–31, Turku 15 August 1664; KA: RT NO KO a 12, 726v–727, Kokkola 15–17 August 1671; ULA: Örebro länsstyrelsens arkiv, Landskansliet. D I qa: 3, Lindestad i.e. Lindesberg 9 July 1687; ULA: VMLL D I: 31, Åkerbo 1 August 1695; RA: SHA S 5: 177v–8v, Fährentuna 3 October 1695; RA: SHA VN 15a: 209v–13, Säbrå 17 May 1698; KA: RT Kexholm KO a 20: 122v–7v, Sakkola, Rautu & Pyhäjärvi 14 August 1699; RA: SHA U 68b: 1221–23v, Danderyd 13 April 1701; Frökind 10 May 1723 in Bergstrand (1976, 49–50).
66. Recurrent terms: *stilla, from, fredsam, sachtmodigh, gudfruchtig, gudelig, gudachtig, flitigh, arbetsam, lydigh, enfaldig* ('simple'), also at times mentions of having had 'a good reputation', *ett got/gått beröm* or having been 'honourable', *ährligh/ährbar*. Most recurrent adjectives: peaceful and God-fearing. For the gendered, estate-connected and Lutheran ideals in early modern Sweden, see Stadin (2004). For example, diligence and being hard-working as good qualities of the peasantry, see Stadin (2004, 276–90).
67. For example, RA: SHA VN 27a: 575v–7, Säbrå 28–29 April 1679 (lived god-fearingly in harmony and love with neighbours, *Gudfruchteligen i sämja och kerleek medh granner*); RA: SHA G 27a: 430v–36, Järvsjö 6 June 1679 (*stilla, from, gudfruchtig*, diligent church-goer, good relations with neighbours); RA: SHA Västerås 3: 695–96, Sala 14 May 1687 (*stilla, fredsam, sachtmodig, ingen trätor, ingen owänskap, giärna gått i kyrkian*); RA: SHA, Gävleborgs län 45a: 80v–82v, Forsa, Idenor,

Hög, Rogsta, Illsbo och Tuna n.d. 1695 (*stilla*, *gudfruchtig*, lived in harmony with her family and neighbours, *god wänskap* with her husband, *gådt flijtigt i kyrkian*); ULA: VMLL D I: 31, Ihresta prästegård 31st July 1695 (*stilla, wackert lefwerna, lustig och glad, fridsam emoot andra*). Peaceful relationships and personality as an ideal, see Stadin (2004, 276–86). Vs. stigma caused by quarrels and quarrelsome temperament, see for example Liliequist (1999, 2015).

68. For example, the good relationships of the accused were emphasized in many cases in which there was no reason to suspect outside involvement due to multiple eyewitnesses or the suicide method and manifold corroborating evidence. For example, ULA: KLHA Serie III A I: 5, 3–3v, Vika 29 April 1661 and Serie X, A I: 5, 81–83, Vika 3 April 1695; ULA: Faluns rådhusrätt och mag. A Ia: 18, Falun 14/15 April 1697. Similarly, quarrelsome nature of the accused was used and emphasized as 'character testimony' even though it was not relevant for excluding the possibility of outside involvement: for example, ULA: KLHA Serie III A I: 8, 6–7, Tuna 23 March 1664; KA: Turku RO a 33: 427–31, Turku 15 August 1664; ULA: Västmanlands läns domstolarkiv, Köping rr A I: 6, 28–31, Köping 18 February 1685; RA: SHA VN 14: 240–44, Nätra 5 September 1694.
69. For example, Hemmingsen 1608. For medieval connotations of despair, formerly known as *tristitia* and *acedia*, see Murray (2000, 369–95).
70. As an argument for insanity, for example, in ULA: KLHA Serie IV AI: 2, 7v–9, Mora 26 August 1664 and Serie X, A I: 1, 109–9v, Tuna 23 September 1689 and A I: 5, 70–70v, Skedvi 4 July 1695; RA: SHA G 27a: 430v–6, Järvsjö 6 June 1679 and 436–41, Järvsjö 21 July 1679; KA: RT JLRÄ KO a 17: 235–37, Lappee 30 September 1680; KA: RT Masku & Vehmaa KO a 3: 172–76, Vehmaa 11 August 1688; RA: SHA U 51: 519–20, Trögd 22–27 September 1690 and 53b: 556v–61v, Lagunda 20 November 1691; RA: SHA K 30a: 560–62, Sundborn 22 May 1694; Odensåker 8 July 1714 in Bergstrand (1976, 27–32) and Brämhult 9 September 1715 in Bergstrand (1976, 36–39). As an argument for acquittal in nearly all the cases in the material, for example, ULA: KLHA Serie III A I: 27, 11–12, Skedvi 3 May 1686, Serie IV A I: 5, 1–2v, Leksand 25 February 1688 and Serie X A I: 1, 16–17, Tuna 19 April 1687 and Serie X A I: 3, 65a–65b, Vika 26 November 1692; RA: SHA K 23a: 314v–23, Hedemora rr 18–20 July 1687; ULA: KLA, D II: 15, Vika 19 May 1690; RA: SHA B III b 1: 2, Kriminella resolutioner 195–96 (Rekarne 21 June 1695) and 264–67 (Stockholm 29 August 1695); KA: RT Pien-Savo KO a 8: 205–9, Rantasalmi 17 November 1698.

71. For example, Jokiaho (2002), Lidman (2013), Stadin (2004, 47, passim).
72. With a few exceptions: Brita Lissle, a very pious and esteemed widow of a peasant, who had had verbal quarrels with another local wife but more blame for the quarrel was laid on the other party: ULA: Faluns rådhusrätts arkiv A I a: 14, n.p., Falun 25 March 1684. Karin Joensdotter who had got upset and quarreled with her mother and brother who had appropriated her part of an inheritance. RA: SHA K 23b: 892–89, Husby 14 February 1687.
73. For example, ULA: KLHA Serie III A I: 8, 74v–5v, Husby 6 September 1664 (good behaviour, good knowledge of the Christian doctrine) and Serie VII, A I: 1, Hedemora 6–7 October 1692 (no quarrels, diligent, behaved well and godly); RA: SHA VN 27a: 575v–7, Säbrå 28–29 April 1679 (lived god-fearingly in harmony, helped the poor, had never been suspected of any misdemeanours); ULA: Uppsala länsstyrelses arkiv, Landskansliet D II d: 36, Frötuna 8 March 1695 (no crimes or sins); KA: RT NO KO a 21: 1077–84, Liminka 12 June 1700 (having never been suspected or accused of any misdemeanours).
74. For example, KA: RT JLRÄ KO a 3: 33–37, Jääski 10–12 February 1660 (drunkenness, avoiding work, often hit his father and stole him money); ULA: KLHA Serie III A I: 8: 6–7, Tuna 23 March 1664 and KA: RT Kexholm KO a 20: 122v–7v, Sakkola, Rautu & Pyhäjärvi 14 August 1699 (two women described as very ill-tempered, angry and ungodly); KA: RT NO KO a 12: 719v–23, Kokkola 8 July 1671 and 726v–7, Kokkola 15–17 August 1671 ('so many terrible vices', imprisoned for rape, quarrels with his neighbours and siblings); KA: RT Barony of Kajaani KO a 2: 110–12, Sotkamo 8 April 1680 and KA: RT JRÄ II KO a 3: 419–22, Äyräpää 11 May 1685 (incl. alcoholism, ungodliness); ULA: KLHA Serie V, A I: 1, 309–16, Garpenberg 20 December 1690 (incl. being cold, arrogant, vicious and ill-mannered, marital discord and domestic violence, insufficient religious practice); RA: SHA S 5: 177v–8v, Fährentuna 3 October 1695 and RA: SHA Jämtlands län 47b: 974v–7, Sveg 27 August 1696 (two ungodly and angry men, incl. *argsint, arg till sinnes, eij fätt Gud efter sitt hufwud, ogudachtiga och öfwerdådige karl, en elak och odygdic menniskia, gudlösa, onde och arga sinne*).
75. See, for example, Jokiaho (2002), Liliequist (2015), Stadin (2004, 285–86).
76. Especially the quarrelsome, foul-mouthed women of angry and bitter temper were portrayed very negatively, even monstrous, with numerous pejorative terms. For example, ULA: KLHA Serie III A I: 8, 6–7, Tuna 23 March 1664; KA: Turku RO a 33: 427–31, Turku 15 August 1664;

RA: SHA VN 14: 240–44, Nätra 5 September 1694; KA: RT Kexholm KO a 20: 122v–7v, Sakkola, Rautu & Pyhäjärvi 14 August 1699; RA: SHA U 68b: 1221–23v, Danderyd 13 April 1701.

77. '*Kona*' referring to a particularly notorious, unmarried woman who had behaved sexually indecently and might have an illegitimate child. Witnesses told, for example, about her drunkenness, quarrels and bad nature, illicit relations and illegitimate child. The Town Court concluded that she had killed herself 'due to her drunkenness, evilness and bitterness' (*uthi sin dryckenschap, Ondsche och bitterheet*) and sentenced her to be taken to the woods and burnt at the stake. KA: RT Turku RO a 33: 427–31, Turku 15 August 1664.
78. For example, sexual indecency and having an illegitimate child could damage a woman's honour (Aalto 1996, esp. 188–91; Andersson 1998, 156f; Lidman 2012, esp. 137–38; Lindstedt Cronberg 1997, esp. 224–36, 303–4; 2013, esp. 139). Indecent sexual relations, especially adultery, were also serious threats to male honour, as evident for example in KA: RT VA KO a 7: 414–17, Eura 17–18 October 1664; KA: RT Masku I KO a 6: 1, Raisio 2–3 January 1667 (escaping from conviction of premarital relations and and illegitimate child, later, killed himself: RA: Justitierevisionen, Åbo hovrätts arbetsberättelser 1667: Raisio 23 April 1667); RA: SHA VN 7a: 452–2v, Anundsjö 10 February 1686; KA: RT VA II KO a 7: 210–20, Ulvila 12 September 1696.
79. For example, see cases in endnotes 74 and 76 and ULA: Västmanlands läns domstolarkiv, Köping A I: 6, 28–31, Köping 18 February 1685; KA: RT NO KO a 7: 256–59, Kalajoki 12 March 1687; ULA: Uppsala länsstyrelsens arkiv, Landskansliet D II d: 14, Sotholm 9 August 1687; ULA: KLHA Serie IV A I: 5, 3–4v, Mora 1 June 1688; RA: SHA VN 14: 240–44, Nätra 5 September 1694.
80. Saying 'att hon ingen annan wähn hafwa uthan hon ginge och giorde af medh sigh sielf'. ULA: KLHA Serie III A I: 8, 6–7, Tuna 23 March 1664.
81. E.g. *arg menniskia, arga och onda sinne, ogudachtig lefwerne, arg och ond, argheet och lättsördige lefwerne*.
82. ULA: KLHA Serie III A I: 8, 6–7, Tuna 23 March 1664; ULA: KLA D II: 5, Tuna 6 April 1664 (Court of Appeal sentence letter, in which the Svea Court of Appeal confirmed the most severe form of punishment, burning at the stake in the woods).
83. For example, KA: RT JLRÄ KO a 3: 33–37, Jääski 10–12 February 1660 (an alcoholic man who had battered his father several times and stolen things from him); ULA: KLHA Serie V, A I: 1, 309–16, Garpenberg 20 December 1690 (besides having planned to murder his wife, the man had had once shoved his mother and had often *bannat* his father).

84. '*ogudachtiga och öfwerdådige karl*', '*en elak och odygdic menniskia*', '*gudlösa*', '*onde och arga sinne*'. RA: SHA S 5: 177v–8v, Fährentuna 3 October 1695. The Court of Appeal sentence letter described his behaviour towards his mother beastlike: '*altijd framfarit som en best i trätor, eeder och swardom emoot sin egen maatmoder*'. Also '*altijdh fördt ett ogudachtigt, odygdigt och förargeleligit lefwerne*', '*af egen onsko och wyheet en sådan förtwiflad giärningh*'. RA: SHA B III b 1: 2, 361–62, Kriminella resolutioner 8 October 1695.
85. For example, KA: RT VA KO a 7: 414–17, Eura 17–18 October 1664 (due to adultery); KA: RT NO KO a 12: 719v–23, Kokkola 8 July 1671 and 726v–7, Kokkola 15–17 August 1671 (imprisoned for rape, quarrelsome); KA: RT Barony of Kajaani KO a 2: 110–12, Sotkamo 8 April 1680 (due to alcoholism and debts); ULA: KLHA Serie V A I: 1, 309–16, Garpenberg 20 December 1690 (bad-tempered, marital discord, ill-treatment of his parents) and Serie IV A I: 6, 35–5v, Bjursås 5 July 1693 (due to marital discord); KA: RT Kexholm KO a 20: 122v–7v, Sakkola, Rautu & Pyhäjärvi 14 August 1699 (due to angry temper and quarrels with her husband and others); Ås 17 June 1710 in Bergstrand (1976, 23–26) (due to thefts).
86. ULA: Västmanlands läns domstolarkiv, Köping rr A I: 6, 28–31, Köping 18 February 1685.
87. Viste 1721 in Bergstrand (1976, 47–48).
88. '*from, enfaldig, stilla och sachtmodigt lefwerne*'. ULA: Faluns rådhusrätts arkiv A Ia: 18, n.p. Falun 14/15 April 1697.
89. Including praising his personality, emphasizing his hard work and setbacks, describing his situation as difficult and 'beaten' (*sitt slåtta tillstånd*, *swårheten*).
90. ULA: Faluns rådhusrätts arkiv A Ia: 18, n.p. Falun 14/15 April 1697. Soon, the Svea Court of Appeal revised the sentence, highlighting that he had *not* been insane but had killed himself due to impatience and despair over his poor condition. A few weeks later, Per Persson was cut down by the executioner and buried in the woods. ULA: KLA D II: 20, Falun 21 April 1697 (incl. an attachment of the execution of the punishment dated 4 May 1697).
91. For example, KA: RT JLRÄ KO a 6: 54–57, Ruokolahti 13–14 June 1664 (poverty, headache); ULA: KLHA Serie III A I: 8, 74v–5v, Husby 6 September 1664 (melancholy due to the death of her parents) and Serie III AI: 10, 93v–4v, Kopparberg gruve 25 August 1666 (considered to have taken hard the recent life events of having been orphaned, her brother's enlistment as a soldier and the loss of their parents' home farm); KA: RT Kexholm KO a 4: 812v–14, Pälkjärvi 14–15 September 1680 (great physical pains); KA: RT Kymenkartano & Lappee KO a 1:

10–11, Kymi & Vehkalahti 12–14 February 1681 (poverty and great physical pain); RA: SHA VN 7a: 445–6v, Gudmundrå 30 January 1686 (great physical pains); RA: SHA Västerås 3: 695–96, Sala 14 May 1687 (poverty of this family-man commiserated, the Town Court felt unable to pass a sentence in this unfortunate event, *olyckelige händelse*); KA: RT NO KO a 9: 182–83, Pyhäjoki 29–31 August 1689 (great physical pain); RA: SHA VN 12b: 746–54, Nätra 12 May 1690 (the old age, *högh åldderdom* and *ålderdoms swagheet* emphasized, having become fatigue, pensive and melancholic due to his old age connected to his unfortunate demise, *ynckelige död och afgång ifrån denne werlden*); RA: SHA U 53b: 556v–61v, Lagunda 20 November 1691 (victim of marital violence); ULA: VMLL D I: 29, Siende 7 April 1693 (major grief over the death of his wife); RA: SHA K 30a: 560–62, Sundborn 22 May 1694 (grief over the death of her spouse); ULA: Faluns rådhusrätts arkiv A Ia: 18, n.p. Falun 14/15 April 1697 (poverty); ULA: KLHA Serie IV A I: 8, 83v–4v, Leksand 19 April 1698 (impoverished peasant master who had had to resort into begging and was suffering from hunger); ULA: KLHA Serie X A I: 9, 184–88, Tuna 4 July 1699 (grief over the death of her husband).

92. For example, KA: RT Ala-Satakunta II KO a 1: 131–34, Eura 19th July 1682; KA: RT JRÄ II KO a 4: 151–52, Jääski 14–17 February 1688; KA: RT NO KO a 13: 91–94, Sotkamo 10 August 1692; KA: RT Kymenkartano & Lappee KO a 10: 406–10, Kymi 23 July 1696; ULA: VMLL D I: 34, Åkerbo 30 June 1698.
93. For example, ULA: KLHA Serie IV AI: 2, 7v–9, Mora 26 August 1664; RA: SHA G 27a: 430v–6, Järvsjö 6 June 1679 and 436–41, Järvsjö 21 July 1679; KA: RT JLRÄ KO a 17: 235–37, Lappee 30 September 1680; RA: SHA Västerås 3: 695–96, Sala 14 May 1687; KA: RT Masku & Vehmaa KO a 3: 172–76, Vehmaa 11 August 1688; RA: SHA K 30a: 560–62, Sundborn 22 May 1694; RA: SHA G 45a: 80v–2v, Forsa, Idenor et al. n.d. 1695; ULA: KLHA Serie X A I: 7, 206–8, Tuna 19 October 1697; RA: SHA U 61a: 674v–5v, Lagunda 8 April 1697; Odensåker 8 July 1714 in Bergstrand (1976, 27–32), Brämhult 9 September 1715 in Bergstrand (1976, 36–39).
94. ULA: KLHA Serie X A I: 1, 109–109v, Tuna 23 September 1689.
95. For example, RA: SHA K 23b: 892–99, Husby 14 February 1687 (a well-reputed, esteemed peasant mistress who had had a dispute over inheritance with her mother and brother who had appropriated her share); ULA: KLHA Serie X, A I: 5, 70–70v, Skedvi 4 July 1695 (a local, retired peasant with a good reputation, the lower court ignored his expressed worries over sustenance and having become gloomy-minded after his son died and considered him an insane suicide); KA:

RT Kymenkartano & Lappee KO a 17: 68–76, Virolahti 10 March 1700 (a local, reputable peasant master whose worries and complaints over difficult times and his children were ignored).

96. ULA: KLHA Serie X, A I: 2, 84–85, Stora Kopparberg 2 October 1691.
97. For example, RA: SHA K 30a: 560–62, Sundborn 22 May 1694 (a vicar's widow grieving); ULA: VMLL D I: 29, Siende 7 April 1693 (a local crofter of good repute recently widowed); ULA: KLHA Serie X A I: 9, 184–88, Tuna 4 July 1699 (a recently widowed, devout soldier's wife).
98. KA: RT Savo KO a 2, 740–45, Rantasalmi 17 June 1648 (a vicar's wife, the parish and the vicar pleading for a silent burial in the churchyard as an insane suicide); ULA: KLHA Serie IV AI: 2, 7v–9, Mora 26 Aug 1664 (referring that according to the law it should be the executioner who takes care of the corpse of this highly esteemed, retired peasant but pleading for a burial from the Court of Appeal); RA: SHA G 27a: 430v–436, Järvsjö 6 June 1679 (a reputable, devout retired peasant master whose family and vicar plead temporary insanity but the lower court is unable to classify his mental state, and thus leaves the decision-making for the Court of Appeal); ULA: Faluns rådhusrätts arkiv A I a: 14, n.p., Falun 25 March 1684 (the Town Court left the suicide of a peasant widow to be sentenced by the Court of Appeal); RA: SHA Västerås 3: 695–96, Sala 14 May 1687 (a reputable, religious but poor man whose suicide the Town Court felt unable to sentence); RA: SHA VN 12b: 746–54, Nätra 12 May 1690 (pleading commution for an elderly, esteemed peasant whose old age and melancholia are pitied and emphasized); RA: SHA U 53b: 556v–61v, Lagunda 20 November 1691 (a very esteemed, devout and 'loved' woman whose husband had maltreated and left her, although having hanged herself, the lower court passes no clear sentence but ends up pondering the question of the possibility of God's mercy for her); ULA: Grimstens häradsrätts arkiv A I: 2, n.p., Grimsten 27 February 1695 (the concealed suicide of a former district judge left unpunished); ULA: VMLL D I: 31, Ihresta prästegård 31 July 1695 (the sentencing of a suicide of a diligent, liked and sane farmhand of the vicarage referred to the Court of Appeal).
99. Incl. *from, god, rättråtig, gudfruchtig man, förståndig man*, well-behaved, good life, having often had Communion. RA: SHA G 27a: 436–41, Järvsjö 21 July 1679.
100. 'fallat många Tårar och bedt Rättan på det..'. RA: SHA G 27a: 436–41, Järvsjö 21 July 1679.
101. RA: SHA G 27a: 436–41, Järvsjö 21 July 1679. The Svea Court of Appeal took into account the pleas and sentenced him to be buried in the northern side of the churchyard without process and bell-tolling. ULA: KSHB G: Järvsjö 17 October 1679.

102. RA: SHA G 27a: 430v–6, Järvsjö 6 June 1679. The Svea Court of Appeal took into account the pleas and allowed his kin to bury him outside the churchyard. ULA: KSHB G: Järvsjö 4 July 1679. The lower court referring to the bereaved's pleas and sorrow in petitioning for commution also, for example, in RA: SHA VN 12b: 746–54, Nätra 12 May 1690.
103. For example, KA: RT AS I KO a 6: 265–6v, Kokemäki 19 May 1647; RA: SHA G 27a: 436–41, Järvsjö 21 July 1679; KA: RT Masku & Vehmaa KO a 3: 172–76, Vehmaa 11 August 1688; ULA: Grimstens häradsrätts arkiv A I: 2, n.p., Grimsten 27 February 1695; RA: SHA B III b 1: 2, 195–96, Kriminella resolutioner 21 June 1695 (provincial governor's farmhand acquitted); KA: YS KO a 17: 533v–5v, Vesilahti & Lempäälä 26 August 1697; Bergum 1 March 1714 in Bergstrand (1976, 33–35) and Odensåker 8 July 1714 in Bergstrand (1976, 27–32) (even the bishop and dean pleading insanity).
104. ULA: KLHA Serie X A I: 2, 74–76v, Torsång 16 July 1691; ULA: KLA D II: 16, Torsång 22 July 1691. Cf. very similar evidence in drownings of the elderly sentenced for suicide: ULA: KLHA Serie IV A I: 5, 3–4v, Mora 1 June 1688; RA: SHA Jämtlands län 47b: 974v–7, Sveg 27 August 1696.
105. RA: SHA K 29a: 552-, Svardsjö 2 July 1693.
106. KA: RT Ala-Satakunta II KO a 1a: 440–3v, Eurajoki 17–18 September 1683.
107. Sundal 11 August 1691 in Zakariasson 1980, 350.
108. RA: SHA B III b 1: 2, 264–67, Kriminella resolutioner (Stockholm) 29 August 1695.
109. RA: SHA B III b 1: 2, 262–3v, Kriminella resolutioner (Stockholm) 27 August 1695.
110. RA: SHA K 23a: 314v–23, Hedemora 18–20 July 1687. The King also allowed a Christian burial to a praised burgher from Gothenburg: RA: Riksarkivets ämnesamlingar Juridika I: BP, Vol. 5, 59–60: Gothenburg 1691.
111. Viste 1721 in Bergstrand (1976, 47–48).
112. E.g. ULA: KLHA Serie III A I: 5, 3–3v, Vika 29 April 1661 (an old, pious lodger with good relationships with others) and Serie VII A I: 1, Hedemora 6–7 October 1692 (a soldier who had been religious and hard-working) and Serie X A I: 5, 70–70v, Skedvi 4 July 1695 (an old, honourable and religious melancholic retired peasant dependant) and Serie X A I: 7, 206–8, Tuna 19 October 1697 (a tailor who was in practice a dependant due to his illness and hand wound, religious, hard-working, liked by many, godly way of life etc.); KA: RT Masku & Vehmaa KO a 3: 172–76, Vehmaa 11 August 1688 (a hard-working, godly maidservant).

113. For example, sentenced as sane suicides: ULA: KLHA Serie III AI: 10, 93v–4v, Kopparberg gruve 25 August 1666 (a devout, hard-working but sane woman who had lost her family farm); RA: SHA VN 27a: 575v–7, Säbrå 28–29 April 1679 (a peasant mistress who had lived *Gudfruchteligen i sämja och kerleek medh granner, stilla*, helped the poor, had never been suspected of any misdemeanors); ULA: Uppsala länsstyrelses arkiv, Landskansliet D II d: 7, Semminghundra 17 September 1684 (a melancholic nobleman with financial troubles sentenced as a sane suicide); ULA: Lindesbergs rådhusrätts arkiv A I: 9, Lindesberg 2 August–3 September 1688 (a very esteemed alderman and burgher, greatly in debt due to his son); ULA: VMLL D I: 27, Sala 9 September 1691 (a praised crofter, *nyckter, flijtig, gudfruchtig, altijdh sig wid Gudz tiensten flijtigt infunnit, ingen någon owänskap*); KO a 21: 1077–84, Liminka 12 June 1700 (a devout, retired peasant master for whose suicide the lower court could not find a cause); RA: SHA VN 22: 1669–71, Sunne 16 November 1704 (a reputed peasant master who had complained about his financial difficulties).
114. E.g. KA: RT Vehmaa & Ala-Satakunta KO a 7: 414–17, Eura 17–18 October 1664; ULA: KLHA Serie III A I: 9, 29–31v, Tuna 30–31 May 1665 and Serie IV A I: 5, 3–4v, Mora 1 June 1688 and Serie IV, A I: 6, 35–35v, Bjursås 5 July 1693; RA: SHA U 49b: 919v–22v, Närdinghundra 14 July 1689 and 54b: 1106–14v, Närdinghundra 23 June 1692; RA: SHA VN 14: 240–44, Nätra 5 September 1694; KA: RT Kexholm KO a 20: 122v–7v, Sakkola, Rautu & Pyhäjärvi 14 August 1699.
115. Differing opinions, for example, in KA: RT Savo KO a 2: 740–46v, Rantasalmi 17 June 1648 and KO a 8: 205–9, Rantasalmi 17 November 1698; KA: RT Turku RO z 34: 119–23, Turku 7 April 1666; KA: RT AS II KO a 1a: 440–3v, Eurajoki 17–18 September 1683; RA: SHA K 23a: 314v–23, Hedemora 18–20 July 1687; RA: SHA VN 12b: 746–54, Nätra 12 May 1690; ULA: ULL D II d: 20, Bälinge 6 September 1690; RA: SHA B III b 1: 2, 264–67, Stockholm 29 August 1695; RA: SHA K 36a: 449v–56v, Grytnäs 27 May 1697; Kåkind 23 September 1986 presented in Bergstrand (1976, 16–19), and Odén (1998, 23–27).
116. KA: RT YS KO a 17: 529–31v, Huittinen 27 March 1697.
117. For cases, see the descriptions in various previous endnotes, and for example, ULA: KLHA Serie III A I: 8, 74v–5v, Husby 6 September 1664 (a sane, well-reputed maidservant who was considered to have been sad due to the death of her parents); RA: SHA VN 7a: 445–6v, Gudmundrå 30 January 1686 (great physical pains of a sane man considered to have been the cause of the suicide); RA: SHA U 49a: 292v–5v, Hagunda 22–27 June 1689 (a witness opinion that the reason

for the suicide was that the woman had been worried that she would lose her possessions and would have nothing to feed the livestock with, as the woman had expressed her worries over this); ULA: Åsunda häradsrätts arkiv A I: 2, Tillinge 21 March 1695 (the lower court concluding that the sane man had killed himself due to impatience and due to wanting to avoid the detestable things in his life (*dhe wederwärdigheeter som honom på hwariehenda sät här i Lifwet trychte*), incl. the pains over his broken knee, the other soldiers in his company threatening him with fines, all his children being disabled); ULA: Uppsala länsstyrelses arkiv, Landskansliet D II d: 43, Danderyd 22 February 1697 (great physical pains of a sane man considered to have been the cause of the suicide); RA: SHA VN 15a: 208v–9, Själevad 14 May 1698 (the great poverty and crop failures emphasized in the case of a sane man's suicide).

118. For example, The Provincial Archives of Turku (TMA): Archives of Turku Court of Appeal Dbc: 1, fol. 2, 50, Eura 18 May 1631 (mother and sister of the deceased farmhand blaming his masters of having driven him to the river after which he drowned); KA: RT JLRÄ KO a 13: 363–73, Vyborg 22 May 1673 (an unlawfully confiscated seine presented as the reason for the man's gloomy thoughts, the castle commandant who had not returned the seine regardless of a court order blamed by the widow and the lower court); KA: RT NO KO a 24: 46–8v, Oulu 30 March 1680 (discussion on whether the curate had scolded the accused for stealing communion wafers which could have scared her into hanging herself); ULA: Faluns rådhusrätts arkiv A I a: 14, n.p., Falun 25 March 1684 (blame laid on a local wife with whom the suicide had quarreled and been much disturbed) See also the following two endnotes and Persson 1998, 170–71; Werner (1998, 77).

119. ULA: Trögds häradsrätts arkiv, A I: 1: 219v–20v, Trögd 14 July 1684 (the wife blaming her late husband's superior, a lieutenant, for maltreating her husband and having sentenced him to run the gauntlet for no reason, which was the reason for his suicide); RA: SHA U 53b: 556v–61v, Lagunda 20 November 1691 (blame laid on violent husband who had caused the accused's insanity and suicidal thoughts, and the lower court concluding that the woman had rather killed herself because of impious people would have talked badly about her due to her husband's theft); RA: SHA VN 14: 240–44, Nätra 5 September 1694 (the brother blaming the masters of her maidservant sister for having maltreated her and partially being responsible for her self-inflicted drowning); ULA: Åsunda häradsrätts arkiv A I: 2, Tillinge 21 March 1695 (the wife laying the blame on others for her husband's suicide for the men in his company had maltreated him, claimed that he had gotten his knee hurt on

purpose so that he could be absent from the inspection and threatened him with fines); RA: SHA G 57: 377v–, Lit 13 January 1703 (father of the deceased reprimanded and held partly responsible for the suicide for having been hard and abusive).

120. For example, RA: SHA K 23b: 892–99, Husby 14 February 1687 (partial blame laid on the mother and brother of the suicide who had quarreled with her and had appropriated her part of an inheritance); ULA: Lindesbergs rådhusrätts arkiv A I: 9, Lindesberg 2 August–3 September 1688 (blame laid on the son of a very esteemed alderman and burgher who had committed suicide: the son had caused his great indebtedness); KA: RT JLRÄ KO a 13: 363–73, Vyborg 22 May 1673 (blame laid to a castle commandant who had not returned an unlawfully confiscated seine to the poor man).
121. See cases in the previous endnotes. Although most of the lower court records only referred to sanity, often in connection with despair, or insanity in the sentence section in justifying the penalties, some were more verbose and also connected other factors to the suicide. For example, ULA: KLHA Serie III A I: 15, 98–8v, Skedvi 30 July 1672 (mentioned that the suicide had had a good reason, *widh sitt godhe skähl*, referring to his noted anxiety over having been compensated less than what he expected from a court dispute over some lands); KA: RT Kymenkartano & Lappee KO a 3: 299v–303v, Lappee & Joutseno 11–13 June 1688 (unwillingness to pay his debts mentioned as the motive in the sentence section); RA: SHA U 61a: 674v–75v, Lagunda 8 April 1697 (although loss of hope and mistrust, *wanhopp och misströstan* referring to despair, mentioned, also the difficult times (great crop failures) and the accused's high age (80 years old) mentioned in the sentence section); RA: SHA VN 15a: 208v–9, Siälevad 14 May 1698 (the lower court concluding that the man had taken his life despaired in his poverty and adversity, and that his weakness induced by his recent illness might have contributed to it).
122. Sentenced as sane but no one could think of any reason, including insanity, despair or negative life events or circumstances, for their suicides: ULA: KLHA Serie III A I: 5, 3–3v, Vika 29 April 1661 and Serie VII, A I: 1, Hedemora 6t–7 October 1692; KA: RT Kexholm KO a 4: 1143–45, Räisälä 9 December 1678; KA: RT NO KO a 2: 850–53, Oulu 28–29 November 1682 and KO a 10: 232–35, Kemi 19–21 February 1690 and KO a 21: 1077–84, Liminka 12 June 1700; ULA: Uppsala länsstyrelses arkiv, Landskansliet D II d: 19, Enköping 14 February 1689 and D II d: 36, Frötuna 8 March 1695; RA: SHA VM 42a, 177–8v, Norbärgby 21 May 1698.
123. Koskivirta (2001, 174), Pihlajamäki (1996, esp. 126).

124. RA: Riksarkivets ämnesamlingar Juridika I: BP, Vol. 5, 1–60; Juridika II: Åke Rålambs Samble Book, Vol. S, 149–50; ULA: KSHB (sentence letters). Mentions of forms of punishments departing from the law passed on suicides by the Turku Court of Appeal, for example, burial under the gallows, in the northern side of the churchyard in silence: KA: RT Turku RO z: 24, 225, 5 October 1655 and Turku RO z: 25, 97–98, Turku 15 and 16 April 1656; RA: Justitierevisionen, Åbo hovrätts arbetsberättelser 1665–1667, 1669: n.p. Turku 24 September 1666, Raisio 23 April 1667. Various penalties in use by the Göta Court of Appeal, see Thunander (1993, 76–77).
125. Svea Court of Appeal resolutions 11 and 18 July 1695 in Abrahamsson 1726, 727.
126. Royal letter to the Turku Court of Appeal 11 November 1695 in Abrahamsson 1726, 727 and Schmedeman 1706, 1430.
127. Svea Court of Appeal resolution 2 August 1700 in Abrahamsson 1726, 726–27.
128. ULA: KLA Landskansliet D II: 5, Tuna 6 April 1664 and Tuna 12 June 1665 and Kopparberg gruve 18 September 1666 and in a case of a notorious thief mentioned in RA: Riksarkivets ämnesamlingar Juridika I: BP, Vol. 5, pp. 1 and 9–10. It is unknown why the Svea Court of Appeal did not revise the sentences to burials by the executioner in these cases; plausibly it was linked to the bad character of some of the accused, or the punishments were intended to serve as examples (common argument) in an attempt to deter suicides that were taking place at the time in the Kopparberg region. It must be pointed out that these suicides predate the great witchhunts that began in the area in 1668. It is also possible that it was precisely the 1660s that marked a transition period in Svea Court of Appeal penal practice concerning sane suicides. It is also possible that the sentence of burning continued in use under special circumstances: the last time a suicide was sentenced to be burnt by the Göta Court of Appeal was in 1709 (Werner 1998, 74).
129. ULA: KLA D II: 17, Hedemora 9 November 1692.
130. It must be pointed out that at times the prepositions used are ambiguous: *uthom, uti, uthi* or *utan kyrckiogård* most likely referred to burial outside the churchyard than meant ‘out in the churchyard’. E.g. in a case investigated in Njurunda in 1690 the lower court exceptionally sentenced an insane man to be buried inside the churchyard, stating that he was sentenced according to the law, but not outside but inside the (*dock icke uthom uthan innom*) churchyard by honourable people, but without bells as he had led a godly, docile and solemn life. RA: SHA VN 10, 222–, Njurunda 9 January 1690. For Svea Court of Appeal sentences based on all the preserved (and indexed) sentence letters between 1670 and 1720, see also Jarrick (2000a, 110).

131. RA: Justitierevisionen, Åbo hovrätts arbetsberättelser 1665–1667, 1669: Turku 18 April 1665; Lapvesi 6 November 1665; Turku 11 April 1666; Turku 24 September 1666; Westwick 17 November 1666; Påelssböle 23 March 1667; Vaasa 26 April 1667; Salo 9 March 1669; Sauvo 12 June 1669. The Turku Court of Appeal passed burials carried out by the executioner in the place of executions as the penalties for sane suicides at least in the 1650s: KA: RT Turku Ro z: 24, 222–23, Turku 1 October 1655 and 225, 5 October 1655 and RO z: 25, 97–98, Turku 15 and 16 April 1656. Also, the preserved receipts of executioners' fees in the provincial collection of accounts (*länsräkenskaper*) suggest that the forms of punishment were typically commuted, at least in the late seventeenth century: e.g. to burial in the forest: KA: Läänintilit/Länsräkenskaper: Province of Turku and Pori 7400: 85, Kemiö 14 July 1695; 109, Huittinen 10 April 1697 and 107, Ulvila 18 November 1696.
132. Hafström (1965, 153–54), Kekkonen et al. (1999, 1044–45), Lamberg (2014), Pihlajamäki (1996, 105–6), Thunander (1993, 223–27).
133. Laitinen (2013, 557–58), Lamberg (2014), Välimäki (2018).
134. Domareregler c. 1611 in Almquist 1951, 52–53; KRLL 1442, Judicature Section, Cap. 25 and Felony Section, Cap. 4.
135. The last lower court sentences of burning at the stake in the material: ULA: KSHB Västmanlands län: Systa 7 May 1701, Norbo 13 May 1701, Skinskatteberg 26 April 1704. Cf. in Västernorrland the lower courts sentenced burning at the stake in 1690 for the last time in the material.
136. For example, ULA: Uppsala länsstyrelses arkiv, Landskansliet D II d: 2, Vendel 24 May 1682; ULA: VMLL D I: 27, Sala 9 September 1691; RA: SHA U 58b: 1096–97v, Stockby 30 April 1696; ULA: Uppsala länsstyrelsens arkiv, Landskansliet D IId: 40, Rassbo 23 May 1696 (custom referred to when stating the sentence of burial at the place of executions).
137. Karlsson (2009, 25–29, 38–39, 47), Levander (1975, 239), Sandén (2009, 151).
138. For example, RA: SHA VN 3a: 164v–7, Sollefteå 5–6 July 1682 and 7a: 452–52v, Anundsjö 10 February 1686 ('the executioner buries the corpse where other malefactors are usually buried') and 7a: 445–6v, Gudmundrå 30 January 1686 and 12b: 746–54, Nätra 12 May 1690 ('the executioner buries the corpse in ground unless the kin are willing to do that'); ULA: Örebro länsstyrelse: Landskansliet. D I qa: 3, Glanshammar 17 July 1686 and Lindestad i.e. Lindesberg 9 July 1687; RA: SHA U 54b: 1106–14v, Närdinghundra 23 June 1692; ULA: Åsunda häradsrätts arkiv A I: 2, Tillinge 21 March 1695.

139. ‘efter nu bruukelige sedwännen må af Bödelen uthtagas och i näste Kiärr nedgrafwas med påhla igenom slagen.’ ULA: KLHA Serie VII A I: 1, Hedemora 6–7 October 1692. More burials in the swamp, for example, ULA: KLHA Serie XXXIV, A I: 18, n.p., Ludvika 23 April 1698; Ås 17 June 1710 in Bergstrand (1976, 23–26); Ås 27 July 1716 in Bergstrand (1976, 40–42) and another suicide in the same lower court sessions: Ås 27 July 1716 in Bergstrand (1976, 42–43). Swamp burial and impaling of the corpse was also in customary use in southern Sweden, in Vadstena, already in the early seventeenth century. Vadstena 1604 presented in detail in Sandén (2014, 25–55, esp. 33–34).
140. In the cases mentioned in the previous endnote it is highly likely that the local tradition had for long entailed disposal of sane suicides in the marshes, as referred to in Vadstena Town Court in 1604, which stated that suicides were dragged through the streets, impaled and buried in the wetlands by the executioner and in Hedemora in 1692. Also, in Pålsböle in the Åland Islands, the lower court had in 1667 sentenced a suicide to be buried by the executioner in ‘the place where it was customary to bury suicides’. RA: Justitierevisionen, Åbo hovrätts arbetsberättelser 1667 (1665–1667, 1669): n.p. Påelssböle 23 March 1667. In these instances at least the inspiration and impetus to bury the remains rather than burn them did not come from the Courts of Appeal. Other local customs mentioned include that it was customary for the Sámi to bury suicides in the woods (a beggar ‘Lapp’ who had hanged himself in the woods, presumably considered insane, was sentenced by the lower court to be taken down by his fellow Sámi and buried by them in the woods). HLA: Gävleborgs länsstyrelses arkiv, Landskansliet DIIa 11: 45–45v, Undersåker 22 August 1701.
141. KA: RT Turku RO z: 25, 97–8, Turku 15 and 16 April 1656; RA: Justitierevisionen, Åbo hovrätts arbetsberättelser 1667 (1665–1667, 1669): n.p. Påelssböle 23 March 1667; KA: RT NO KO a 21: 1077–84, Liminka 12 June 1700.
142. Only the judge of Ångermanland *domsaga* in Västernorrland Province, Lars Stridsberg, sentenced all the sane suicides he dealt with from 1682 to be buried by the executioner. Lower court sentencing burning at the stake according to the law for example in ULA: KLHA Serie V A I: 1, 309–16, Garpenberg 20 December 1690; ULA: ULL D II d: 36, Frötuna 8 March 1695; ULA: VMLL D I: 31, Åkerbo 1 August and Åkerbo 28 August 1695; RA: SHA S 5: 177v–8v, Fährentuna 3 October 1695; ULA: VMLL D I: 34, Yttertjurbo 14 May 1698; RA: SHA VM 42a, 177–8v, Norbärgby 21 May 1698; ULA: KSHB Västmanlands län: Systa 7 May 1701, Norbo 13 May 1701, Skinskatteberg 26 April 1704.

143. Except in one case sentenced in the Town Court of Vaasa: an insane woman is allowed burial inside the churchyard. However, the Turku Court of Appeal revised the penalty and ordered to bury her outside the churchyard. RA: Justitierevisionen, Åbo hovrätts arbetsberättelser 1667 (1665–1667, 1669): n.p. Vaasa 29 April 1667.
144. RA: SHA K 23b: 892–9, Husby 14 February 1687; ULA: KLHA Serie X A I: 1, 109–109v, Tuna 23 September 1689; RA: SHA VN 10, 222–, Njurunda 9 January 1690; RA: SHA G 45a: 80v–2v, Forsa, Idenor et al. n.d. 1695; ULA: Faluns rådhusrätts arkiv A Ia: 18, n.p. Falun 14/15 April 1697; ULA: VMLL D I: 34, Åkerbo 30 June 1698; ULA: KLHA Serie X, A I: 9, 184–88, Tuna 4 July 1699. Unknown or mixed reputation: Stora Mellby 30 March 1634 in Bergstrand (1976, 12–13) (an insane man); Leckööö 18 January 1648 presented in Liedgren 1982 (burial in the churchyard due to minority); RA: Justitierevisionen, Åbo hovrätts arbetsberättelser 1667: n.p. Vaasa 29 April 1667 (a mentally weak, elderly woman); RA: Riksarkivets ämnesamlingar Juridika I: BP, Vol. 5, 53 (unknown location, the lower court had allowed a mentally weak suicide burial in the nighttime in silence); ULA: KLHA Serie XXVI A I: 1, n.p., Lima 6 December 1698 (the orphaned maidservant was simply described as having been very simple and innocent—*eenfaldig & meenlöös*—and as able to read the Christian doctrines).
145. For example, Thunander (1993).
146. See Chapters 2 and 3. People were aware that the Church buried suicides in silence: for example, in 1648 in Rantasalmi, in peripheral eastern Finland, the vicar as well as local people present in the trial requested that the lower court would sentence the vicar's wife Elisabeth, who had drowned herself, to be buried in silence in the northern side of the churchyard. KA: RT Savo KO a 2: 740–5, Rantasalmi 17 June 1648.
147. See the Finnish translations of the law (KRLL) listed in the bibliography. See also endnote 130.
148. The lower court of Undersåker sentenced a hanged Sámi to be taken down and buried in the woods by his fellow Sámi as customary among them ('hans döda kropp må av dess gelikar, andra lappar, nedtagas, och som hos dem brukeligt är, i skogen nedergravas'). HLA: Gävleborgs länsstyrelses arkiv, Landskansliet DIIa 11: 45–v, Undersåker 22 August 1701. See also HLA: Gävleborgs länsstyrelse arkiv, Landskansliet DIIa 7; Anundsjö 29 April 1686.
149. For example, RA: SHA U 68b: 1221–23v, Danderyd 13 April 1701; ULA: KSHB Gävleborgs län: Själevad 16 April 1701, Hallen 16 march 1701, Bergsjö 21 November 1701, Ragunda 12 October 1701, Lit 16 March 1703, Skjön 24 April 1703, Ragunda 4 June 1703, Berg 23 May 1704, Sunne 9 December 1704; ULA: KSHB Uppsala län: Rasbo 19

March 1703 and Åkers 4 May 1703; ULA: ULL D IId: 76, Vendel 18 January 1712; Norunda 20 March 1712, Vaksala 10 October 1712; KA: RT NO KO a 41: 1275–89, Ii & Pudasjärvi 8–13 March 1725 and numerous cases in Bergstrand (1976, 23–52). Cf. some of the lower courts still applied the 'old' penalties following the law, e.g. ULA: KSHB Västmanlands län: Systa 7 May 1701, Norbo 13 May 1701, Skinskatteberg 26 April 1704; Sundal 4 September 1707 in Sjödahl and Edestam (1995, 84).

150. After 1692 the Svea Court of Appeal appears to have no longer applied the penalty of burial *outside* the churchyard for insane suicides.
151. ULA: KSHB (sentence letters); RA: Riksarkivets ämnesamlingar. Juridica I. Becchius-Palmcrantz' juridiska samlingar, Vol. 5.
152. ULA: KLHA Serie III A I: 8, 6–7, Tuna 23 March 1664; ULA: KLA D II: 5, Tuna 6 April 1664.
153. ULA: KLHA Serie IV AI: 2, 7v–9, Mora 26 August 1664; ULA: KLA D II: 5, Mora 15 October 1664.
154. ULA: KLHA Serie III A I: 8, 74v–5v, Husby 6 September 1664; ULA: KLA D II: 5, Husby 5 October 1664.

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CHAPTER 6

Conclusion

No doubt, the suicide of a loved one, a neighbour or a fellow parishioner was (and is) often a tragedy and an emotional shock due to the sudden, untimely demise and loss. However, the repercussions of such an event were more far-reaching in early modern Sweden, and at the same time in most of Europe, than in the modern Western world—the deceased had committed a criminal act that was investigated and scrutinized in public lower court trials and his or her remains could be subjected to deviant, at worst desecrating treatment as a punishment. According to King Christopher's Law, outlined in 1442 and officially in force in the Swedish Kingdom since 1608, suspected cases were investigated in the lower courts where the lay members of the court, up to 12 local men, made the decisions and classifications and the appointed district judge or his substitute pronounced the sentence. In the investigation, the lower courts had to establish the guilt and the mental state of the accused post mortem. The legislation stipulated that if the death was self-inflicted and intentional or self-inflicted in the case of a person considered 'insane' to the extent that he or she was unable to avoid accidents, it was to be treated as a crime of suicide. The courts were to impose on those deemed sane a shameful punishment inflicted by the executioner, who would take the corpse into the woods and burn it at the stake, while the insane were to be buried by others somewhere outside the churchyard. Both penalties were thus inflicted on the corpses of the deceased, but nevertheless severe and shameful, as they left the remains outside

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hallowed ground and deprived of Christian funeral rites. This symbolized exclusion from the Christian community and from salvation, and brought shame, which no doubt meant a major ordeal for the bereaved given the early modern religious mentality. Although presumably following foreign examples and Christian tradition in criminalizing suicides in 1442, the Swedish law and legal praxis departed from many of its European counterparts: the assets of the suicide were not confiscated, and secondly, the insane were not entirely exempt from penalties.

Over the course of the last four chapters I have explored the judicial treatment of suicides in the lower courts—the first instances on the local scene where crimes were typically dealt with—in seventeenth- and early eighteenth-century Sweden with a focus on the practical activities before and during the investigation and trial. The local communities and their members, in particular the families and household members of the deceased, neighbours, vicars and curates, local office-holders and jurymen, had pivotal roles in the reporting, indictment, investigation and classification of suicides and other sudden, 'unnatural' deaths. In practice, the judicial system, as indeed the administration in general, depended on the participation of and collaboration with the local parishioners and households in reporting crimes and bringing to the notice of officialdom information that would serve as evidence. In the absence of large or encompassing systems of supervision, officials, or a police force, and thus the limited, although regionally varying means and possibilities of formal social control, the judicature and its functions depended on local communities. Most activities central to the success of the investigation were carried out by laymen, namely members of the local community, most of whom were from the landed peasant households or the landless populace of early modern Swedish society. As key witnesses they shared the necessary information for classifying suspicious deaths as suicides, natural or accidental and for determining the mental state of an already deceased person, as required by the law on suicide. The suicide investigations and the conclusions reached in the lower courts were principally based on hearing evidence from the bereaved and other local people; their opinions and descriptions of the corpse, the cause of death, possible intentionality and the past conduct, background, mental state and personality of the accused were central for the investigation. Those testifying or otherwise involved rarely included medical or legal experts, with the exception of the more educated district judge (or his experienced substitute, the law-reader). The men serving on the juries and

making the decisions with the judge were, like most local office-holders, peasant freeholders, namely the local peasant elites, who tended to their judicial tasks part-time and on a casual basis. In towns they were similarly of the local burgher elites. The vast majority resided in the countryside, where the lower courts typically convened only three times a year in each rural jurisdictional district. Sentencing criminals, or testifying in criminal trials, in particular those concerning suspected suicides, was certainly not a familiar or recurring task for the jurors nor other local people, although at least the judges of the more populous areas had more experience. In part, this unfamiliarity resulted in casuistic treatment of suicides in the lower courts and more widely on the local scene.

It was difficult in practice to follow the letter of the law as it was vague on questions of intentionality regarding suicides and included challenging criteria for determining insanity. The medieval law was already considered outdated when it was printed in 1608. Literally, any self-inflicted death by whatever means constituted the crime of suicide, and even the accidental death of an insane person, or literally a person unable to fend off accidents or danger, was deemed a suicide. Thus many types of accidental deaths, such as drownings of the feverish or delirious, were at times classified as suicides. However, for the 'sane' at least some degree of intentionality had to be established. The existing judicial guidelines said little of how to investigate suspected suicides or to interpret evidence, not to mention how to determine mental states post mortem. The lower courts were left with the difficult task of treading a fine line between following the letter of the medieval law, as they were ordered to, and exercising discretion in determining which deaths were crimes of suicide and which were not and which suicides had been of sound mind and which could be considered to have been insane. More established notions of these took shape in the course of legal praxis, especially at the level of the Court of Appeal, where the final judgements were made on the basis of information contained in the lower court records. The Courts of Appeal encountered cases much more regularly as suicide verdicts, like all felony sentences, were reviewed by them before the implementation of the punishment, at least until 1720.

The treatment of suicides in early modern Sweden is characterized by discrepancies between law and practice. Regardless of King Christopher's Law that listed suicide among the most serious offences, suicide had for long been a matter dealt with primarily by the Church, which had its own rules and customs regarding deaths in general. Between 1571

and 1686, the Swedish ecclesiastical legislation allowed burial for insane suicides. Individual clergymen and the ecclesiastical courts occasionally encountered suicides and allowed some of them to be interred. They appear to have only seldom involved secular officials in the matter. It was not until the Church Law of 1686, or an ordinance passed in 1684, that the clergy became more unequivocally obliged to refer the cases to the secular courts. Alongside source survival, this resolving of the jurisdictional conflict between the secular and ecclesiastical judicial authorities explains the significant rise in the suicide crime rate in the 1680s. As a victimless crime, it can be assumed that many had little interest in taking the case to the secular authorities and courts, unless rumour and suspicion of foul play and murder made it necessary. However, as the clergy, in particular after the Church Law of 1686, refused to deal with the corpses, the bereaved were faced with a practical problem—they had to turn to the secular officials to resolve the matter and for the disposal of the corpse.

Chapters 2 and 3 described various types of responses to suicide other than reporting the case to the secular officials. On the other hand, mainstream religion and popular beliefs treated suicide as an abhorrent, sinful and even dangerous act. Indeed, most of the recorded initial reactions upon the discovery of a suicide suggest that such an event was not only exceptional but also received with shock, horror and fear. The religious mentality in confessionalist, Lutheran Orthodox Sweden certainly required atonement and punishment for such a grave sin that could potentially even incur the wrath of God resulting in retribution in the form of pestilence, famines, storms and the like. This necessitated different treatment of a suicide's corpse and some form of penalty, but not all agreed that it was to be as stipulated in the secular law; the rigid medieval law was not compatible with the more diverse attitudes and practices. Not all suicides were alike, nor equally reprehensible and heinous and deserving of the harsh punishments. Thus the bereaved at times took matters into their own hands, and the clergy and ecclesiastical chapters had long determined penalties and allowed burials of suicides' remains.

The treatment of suicides in the lower courts is similarly characterized by a discrepancy between the law and its application. Such a discrepancy is in no way unique in the judicial treatment of crimes at the time, especially as regards determining forms of penalties. The medieval law was considered outdated and no longer deemed practical and the Courts of Appeal continuously ignored it and revised legal praxis. Not only the

Courts of Appeal but also the lower courts typically disregarded the formal requirements of insanity stated in the law on suicide. The requirements of insanity having been 'widely known' and of the accused having been 'totally' insane were flexibly interpreted and met, with multiple testimonies serving as sufficient proof of public knowledge of insanity and people less insane than defined in the suicide chapter sentenced as insane suicides. Most of those sentenced as insane suicides were not 'fully' insane to the extent that they could not control their actions and were unable to avoid accidents, as literally prescribed in the law. People suffering from less conspicuous and more vague mental derangements, like melancholia or dotage, or diminished mental capacity, like minority or intellectual disabilities, were treated on a case by case basis. Since the late seventeenth-century melancholia came to be more generally recognized as a type of insanity that allowed the verdict of suicide while insane. Moreover, some of the lower courts departed from the letter of the law in the forms of punishment, applying local practices and Court of Appeal examples in passing sentence. It was not until the early eighteenth century that the forms of punishment passed by the lower courts became more uniform, as they started to follow the Court of Appeal precedents prescribing burials by the executioner for sane suicides and silent interments in the churchyard for insane suicides and minors.

This shift—from relatively harsh punishments involving the utter destruction of the remains by fire and exclusions from churchyards to other disposals and interments—suggests that official attitudes towards suicides became more lenient. However, the executioner still dealt with the corpses of sane suicides, inflicting shame upon the remains and the family of the deceased. Thus, it was rather the attitudes towards the suicides by the 'insane' that became more lenient. However, although their suicides were seen as more excusable and accidental throughout the period in question, this sinful act still required a penalty as it was still deemed necessary to make a distinction between those who had died well as 'good Christians' and those who had not.

There were shared notions of incriminating and other relevant evidence for classifying deaths as suicides, accidents, homicides and other types of deaths, and frameworks existed on what constituted a suicide and what constituted 'sanity' and 'insanity'. However, in the absence of clear or firm formal rules and legal guidelines and of a coherent judicial custom shaped via experience in dealing with suspected suicides, the local lower courts relied on ad hoc classifications when it came to less obvious

suicides and suspicious deaths that had taken place in obscure circumstances. Certain causes of death pointed towards suicide more easily, but in the typical absence of eyewitnesses, deaths by drowning or other less violent ways were open to casuistic negotiations. Also, people suffering from ambiguous and borderline forms of insanity were classified as sane or insane casuistically. In the absence of clear guidelines and consistent or uniform practice in determining the evidential value and 'weight', the classifications of deaths as suicides, as accidents or as obscure and acquitted cases (*mörk sak*) and the classifications of the mental state of the accused varied in the lower courts. This is not to say that the investigations did not meet the formal requirements: the procedural rules were followed in the suicide trials, with lower courts investigating cases via jury procedure and questioning competent witnesses. Unbiased witnesses were sought when possible, a single testimony was typically not sufficient, corroborating evidence was required, and circumstantial evidence was given emphasis in determining guilt, as the judicial guidelines in force at the time directed.

There are various signs of the 'judicial revolution' taking place in practice in the treatment of suicide cases in the lower courts. Certainly, the involvement of the Courts of Appeal since 1614, and their more active role in forming and creating new legal praxis, forms of punishments and precedents as well as in educating judges influenced the lower court judicature. As the lower courts were ordered to follow the letter of the law and to submit all felonies to the Courts of Appeal for review and final verdict, the judicial power and authority of the lower courts to determine the ultimate 'truth' and appropriate response for offences were limited. However, the professional elite in the Courts of Appeal could intervene in the decision-making only later, and even then, everything they knew about the case was based on the information elicited by the local community appearing as witnesses and the local elites serving as lay members of the lower court. They relied on the written information about the negotiation, opinions and interpretations of the local populace in the lower court records. Supervision and guidance of the lower court judicature by the Courts of Appeal harmonized the procedures, and increasing requirements for record-keeping resulted in the lower court records becoming more standardized and systematic. 'Professionalization' of judicature, another feature of the judicial revolution is also to some extent discernible. The lower court records, albeit more meticulously kept by the scribes due to the demands and admonitions of the Courts

of Appeal, suggest that the investigations became more thorough and standardized, possibly as the result of the jurors and judges becoming being better educated, experienced and aware of the requirements of the Courts of Appeal. It is well known that the district judges and their substitutes, the law-readers, who at times deputized for the appointed judges before 1680, as well as burgomasters serving in Town Courts became increasingly educated and trained in law in the course of the seventeenth century. Their traineeships or apprenticeships and education at the Courts of Appeal most likely explain why some of the lower courts, especially in Central Sweden, started to follow the Svea Court of Appeal praxis and examples in deciding on forms of punishment. It is difficult on the basis of the lower court records to deduce much about the influence, power and authority of individual judges, but at least as the voting rules related to sentencing changed in 1680, the judges received more power in determining the guilt of the accused. However, even then the judges could not override the unanimous opinion of the board of the lay members of the lower court.

The lower courts continued to be primarily local arenas where classifications and interpretations of deaths were the outcomes of situational, context-sensitive local negotiations. The lower courts were selective in interpreting evidence and relied on ad hoc classifications rather than following and adopting at least any top-down or centrally defined premises. The realities of the suicide investigations, namely the necessity to rely on circumstantial evidence provided by local lay witnesses in the absence of experts and the investigation and sentencing being largely in the hands of the local laymen, meant that the interpretations and classifications reflected the opinions, needs and interests of the local communities, or at least the local elites serving on the juries. There were several reasons why local communities had more leeway to negotiate and take local or community interests into account in the suicide trials than in the trials of most other offences and disputes. The rarity of and thus unfamiliarity with suicide cases in general meant that they were more open to interpretation. Also, their victimless nature left them more open to negotiation. The negotiation of 'truth' was certainly easier to conduct when there were no injured or otherwise relevant parties to the case whose needs, interests and damages needed to be satisfied or compensated. Nor were there necessarily even conflicting truths as was usual in the typical two-party processes. Moreover, there was no financial gain or fiscal interest involved as there were no fines to be expected and the property of

the sentenced suicide fell to the heirs instead of being confiscated by the Crown. The lower courts usually trusted and agreed with the descriptions and opinions of the (majority of the) witnesses. Nevertheless, the outcomes depended on the interests of the lay members of the court and the established local kin groups or other influential community members (such as the vicar) whose word carried most weight in the lower courts. Thus, local opinions were significant in classifying and making sense of sudden, suspicious deaths.

The deceased's social status, reputation and local relations and the context of the abrupt demise influenced the local negotiation and treatment of suicides in the lower courts. Chapter 5 showed that, for example, gender and gender stereotypes influenced the interpretations and explanations of suicides. Also, there are indications of a tendency to acquit and to overlook incriminating and aggravating evidence of intentionality and sanity in suicide cases involving members of the three higher estates, the nobility, clergy and burghers. The deferential treatment that they were more likely to receive compared to other groups could be connected to the social capital that an estate position, wealth and a stake in the local landholding system entailed and which in turn could materialize in favourable testimonies or even concealments. Local kin and other close social ties were also important. Weak social integration of the accused was a risk as those who were firmly established in the locality, for example having kin and other close local social ties, generally had a better defence, i.e. more people, both related and unrelated, speaking up and pleading for them in the suicide trials. Certainly, those considered 'outsiders' and lacking kin or other local social ties were in the least favourable position before the court for they might have no one to stand up for them and give evidence of extenuating circumstances.

However, the quality of the social ties was of course of more importance than their quantity, and it was rather the person's character, conduct and reputation that determined social status and ties and influenced the portrayal, interpretations, classifications and treatment of the case in the lower court. Character testimony served several purposes and had many effects. Strong imagery, or stereotypes and archetypes abounded as to what kind of people committed suicide and what kind of people did not, and in what kinds of circumstances people committed suicides and in what kinds of conditions they did not. This imagery was applied and reproduced in the argumentation before the court and in the reasoning of the lower courts. It was easier to believe that a person who

had been immoral and 'unchristian' or was even considered to have been 'evil' had committed suicide, and that he or she had been in despair and thus sane. Conversely, it was far more difficult to conceive that a person who had led a good, Christian life and had been a diligent churchgoer, not to mention a pious individual, had fallen into such sin, or at least acted in his or her right mind. The discussion and treatment of suicides was far from 'objective'. Suicides by those who had been of particularly good reputation, valued and liked in their communities ('high' social status) were treated more leniently—insanity pleas and classifications as well as the more lenient forms of penalties and even acquittals were more common in their cases than for those who had led 'bad' lives and had been of ill-repute and disliked in their communities. It was more likely that mitigating circumstantial evidence was presented and incriminating and aggravating evidence of intentionality and sanity overlooked in the case of those who had led exemplary lives and had favourable local social ties. Thus obscure deaths of those of ill repute were more likely to be classified as suicides than those of good reputation, and the suicides of the latter more likely to be considered products of the consequences of insanity. Suspected suicides of the disreputable and impious were generally treated, discussed and punished more harshly in the lower (and higher) courts. In practice, it was not only sanity or lack thereof that exacerbated or mitigated the gravity of the offence, as stated in the law, but also the fluid 'social status', namely the reputation and character of the accused that influenced the verdict and the forms of punishment imposed by the lower courts. This is consonant with the interpretations made in some earlier studies about the significant role that social status and ties of the accused played in criminal trials in early modern Sweden.

The past life and reputation of the accused influenced the ways in which the suicide was understood and explained. For example, past crimes and unruly behaviour of the deceased resulted in connecting the sin of despair, and thus sanity, with the suicide. Seemingly similar suicides by esteemed community members were not considered as heinous and condemnable as those committed by notorious individuals or strangers. The witnesses and members of the lower court could feel compassion for the well-connected and reputable and their bereaved and commiserate with their backgrounds, understanding these as the causes of the suicidal urges. Those in physical pain, insane or suffering from fever and unable to fend for themselves and those who were thought to have been victims of misfortunes were often represented as poor creatures who had

tragically resorted to suicide. The suicides by those of bad reputation were portrayed as the consequences of their own sins and wrongdoings and of their ungodly nature, way of life and conduct.

A variety of tactics and strategies was used by the bereaved, friends and local people as well as the jurors if the deceased suspect had been close and important to them. The families certainly had an interest in evading the disgraceful punishments in order to protect their good name and honour. Numerous witnesses arrived and tried to convince the lower court and ultimately the lawyers at the Court of Appeal of the arguments, and the local joint testimony (by the public present at the trial, *tingsvitne*) pleaded for the accused. Unclear and mitigating circumstances were emphasized even if there were some blatant signs and evidence of suicide. If suicide was beyond doubt and could not be disputed as the cause of death, insanity, though otherwise considered disgraceful, was readily invoked. People most likely knew that praising the accused's way of life and piety could mitigate the form of punishment imposed, also at the level of the Court of Appeal. At times, out of deference to the bereaved, unwilling to face local discontent or agreeing with the local pleas for an interment, the lower courts were even reluctant to pass any kind of sentence and rather deferred judgement entirely to the Court of Appeal.

Nevertheless, the needs of the bereaved were not necessarily met; they did not always correspond with those of the local elites serving on the juries or others. At times the lower courts adhered rigidly to the letter of the law, perhaps in fear of reprimands or, in fact, serving local interests. It might serve the interests of the community to punish certain suicides vigorously and harshly: punishing especially the ill-reputed, disliked and even 'monstrous' individuals but also the clearly sane suicides catered for the needs of both the local elite serving on the jury and the state and religious authorities. Firstly, criminal penalties in general were believed to appease God's wrath that might be incurred when crimes and sins were committed; thus, punishing sane suicides harshly could serve popular demand. Secondly, severe, desecrating penalties were thought to serve as examples and warnings for others for breaching the norms. Indeed, the lower court records show that if there was clear, irrefutable evidence of intentionality or sanity, self-inflicted deaths were typically sentenced as sane suicides, regardless of the social standing of the deceased or his or her family. Multiple testimonies of signs of premeditation and prior rational behaviour could hardly be ignored when making

the classifications. Claims of unintentional, accidental death or insanity were usually challenged by the lower courts if incriminating circumstances were mentioned by others than the bereaved, in particular those of higher social standing. For example, the local vicar's opinions seem to have carried greater weight. Nevertheless, cases characterized by obscure circumstances and inconclusive evidence were open to various interpretations and disagreement.

The selective and casuistic treatment of suicides in the lower courts shows that attitudes and views on suicide were diverse in early modern Sweden. Even though the secular and ecclesiastical authorities categorically condemned self-killing, there was nevertheless a conception of various degrees of criminal and moral culpability. Although suicide was a grave felony, not all suicides were equally heinous and reprehensible. Most importantly, suicide committed by an insane person was considered significantly less reprehensible than a suicide committed by a mentally sane adult. Although the writings of the early modern secular and religious authorities are characterized by great severity and condemnation of suicide based on old arguments about the sinfulness and despair that the act manifested and the local reactions upon discovery were typically characterized by abhorrence and fear, there were no monolithic views on suicide when it came to dealing with them in practice. In other words, the apparent consensus about the heinousness of suicide is not the same as agreement about specific cases. As discussed in Chapter 2, varying opinions existed and emotional reactions and transgressions of the touching and burial taboos show how some suicides were perceived less reprehensible than others. For example, although most of the corpses were shunned and left untouched even for long periods to await the investigation and sentence, some were picked up and touched, washed and even buried, and concealed from the secular officials and dealt with privately or within the Church. Suicides and suspected suicides might also be met with empathy and understanding for the choice of the deceased and with compassion and pity for the bereaved. The varying treatment of the corpses before the trial and the selective treatment of the cases in the trials manifest the local panorama of attitudes towards suicide. Ordinary people's views on suicide were not a consequence of the opinions among the educated elite; the social status, character and local ties of the accused influenced how the suicide was responded to, explained and treated.

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